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CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA BY DEPUTY	

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHAEL ALEXANDER FRIEDMANN,

an individual,

Plaintiff,

v.

The STATE OF WASHINGTON,

WASHINGTON STATE PATROL, a

Washington State Agency, CHRISTINE

GREGOIRE and "JOHN DOE"

GREGOIRE, CHIEF JOHN BATISTE and

"JANE DOE" BATISTE, SERGEANT

TOM OLSEN and "JANE DOE" OLSEN,

SERGEANT SAM E. RAMIREZ and

"JANE DOE" RAMIREZ, SERGEANT

TOM MARTIN and "JANE DOE"

MARTIN, DETECTIVE JULI

GUNDERMAN, formerly Juli Mitchell and

Case No.:

C09 5761 RJB/KLS

COMPLAINT FOR DAMAGES

(Civil Rights, Personal Injury, Jury Trial  
Demanded)

1 **"JOHN DOE" GUNDERMAN, TROOPER** )  
2 **NICHOLAS CASTO and "JANE DOE"** )  
3 **CASTO, TROOPER JAMES MELDRUM** )  
4 **and "JANE DOE" MELDRUM, TROOPER** )  
5 **CHRISTOPHER NOLL and "JANE DOE"** )  
6 **NOLL, TROOPER ROBERT E. HOWSON** )  
7 **and "JANE DOE" HOWSON, MICHAEL** )  
8 **HOPKINS and "JANE DOE" HOPKINS,** )  
9 **LIEUTENANT SEAN HARTSOCK and** )  
10 **"JANE DOE" HARTSOCK, STEVEN** )  
11 **OSTRANDER and "JANE DOE"** )  
12 **OSTRANDER, TERRY FRANKLIN and** )  
13 **"JANE DOE" FRANKLIN, LIEUTENANT** )  
14 **JULIE JOHNSON and "JOHN DOE"** )  
15 **JOHNSON, the latter, all respectively,** )  
16 **husband and wife,** )  
17 )  
18 **Defendants.** )  
19 )

20  
21  
22 **COMES NOW**, plaintiff, Michael Alexander Friedmann, an individual, and brings this  
23 action against defendants named herein. Plaintiff alleges the following on information and  
24 belief:  
25

## **I. PLAINTIFFS AND DEFENDANTS**

1.1 Plaintiff Michael Alexander Friedmann is an individual residing at all times material herein, in Pierce County, Washington, and owning both corporate entities Washington State Police Investigations Commission and Praetorian Security Consulting, additionally affected by the actions of the defendants herein named.

1.2 Defendant Washington State Patrol is a Washington State Agency.

1.3 Defendants Christine Gregoire and "John Doe" Gregoire, and Chief John Batiste and "Jane Doe" Batiste, and Sergeant Tom Olsen and "Jane Doe" Olsen, and Sergeant Sam E. Ramirez and "Jane Doe" Ramirez, and Sergeant Tom Martin and "Jane Doe" Martin, and Detective Juli Gunderman, formerly Juli Mitchell and "John Doe" Gunderman, and Trooper Nicholas Casto and "Jane Doe" Casto, and Trooper James Meldrum and "Jane Doe" Meldrum, and Trooper Christopher Noll and "Jane Doe" Noll, and Trooper Robert E. Howson and "Jane Doe" Howson, and Michael Hopkins and "Jane Doe" Hopkins, and Lieutenant Sean Hartsock and "Jane Doe" Hartsock, and Steven Ostrander and "Jane Doe" Ostrander, and Terry Franklin and "Jane Doe" Franklin, Lieutenant Julie Johnson and "John Doe" Johnson, are each respectively husband and wife, upon information and belief, residing at all times material hereto in Pierce, Thurston, and King Counties, in the State of Washington.

## **II. JURISDICTION**

2.1 This Court has jurisdiction over the subject matter hereof and parties hereto. Venue is proper in the United States District Court, Western District of Washington, at Seattle, pursuant to 28 U.S.C. § 1391 and the above-named Court has jurisdiction pursuant to 28 U.S.C. § 1331.

## **III. FACTS OF INCIDENTS GIVING RISE TO COMPLAINT FOR DAMAGES**

3.1 On November 3, 2007, Defendants, Washington State Patrol Troopers Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Ryan Durbin and Steven Jones along with Washington State Patrol Sergeant Tom Martin stopped Plaintiff's car while Plaintiff was driving to Firearms Academy of Seattle. The actions of all Defendant

1 officers in detaining, interrogating and arresting the Plaintiff without legal cause  
2 deprived him of his Fourth Amendment rights to be free from deprivations of liberty  
3 without due process [Reference Paragraph 4A] and violation of Title 42 U.S.C. § 1983  
4 [Reference Paragraph 4C (Subsection 4C.2)]. Defendant officers, and each of them,  
5 subjected the Plaintiff to such deprivations by malice and a reckless and conscious  
6 disregard of his rights and in violations under RCW § 9A.46.020 and RCW § 9A.46.010,  
7 constituting harassment, in which the Plaintiff was targeted on the date of  
8 November 3, 2007, by several Washington State Patrol Troopers of whom the Plaintiff  
9 had previously encountered [Reference Paragraph 4G (Subsection 4G.3)], and a violation  
10 of RCW § 9.91.010, which defines the denial of civil rights [Reference Paragraph 4J  
11 (Subsection 4J.2)], and a violation of RCW § 9A.36.070, which defines coercion  
12 [Reference Paragraph 4P (Subsection 4P.2)], and a violation of RCW § 9A.36.080, which  
13 defines malicious harassment [Reference Paragraph 4Q (Subsection 4Q.2)], and a  
14 violation of RCW § 9A.46.110, which defines stalking [Reference Paragraph 4T  
15 (Subsection 4T.2)], and a violation of RCW § 9A.80.010, which defines official  
16 misconduct [Reference Paragraph 4Y (Subsection 4Y.2)], and a violation of the Fourth  
17 Amendment [Reference Paragraph 4BB (Subsection 4BB.9)], and a violation of the Fifth  
18 Amendment [Reference Paragraph 4CC (Subsection 4CC.2)], and a violation of the  
19 Fourteenth Amendment [Reference Paragraph 4FF (Subsection 4FF.2)].

20 **3.2** The actions of Defendants, Washington State Patrol Troopers Nicholas Casto,  
21 Robert Howson, Christopher Noll, James Meldrum, Ryan Durbin and Steven Jones along  
22 with Washington State Patrol Sergeant Tom Martin, were directly taken as a result of a  
23 third-party, hearsay, allegation of speeding, made via phone call, to which neither the  
24 third-party nor the Washington State Patrol could substantiate the allegation of speeding,  
25 nor was the Plaintiff cited for an infraction of speeding, nor was "speeding" witnessed by  
any Washington State Patrol Trooper involved in the incident, in direct violation of Title  
42 U.S.C. § 1983 [Reference Paragraph 4C (Subsection 4C.2)], and Defendant officers,  
and each of them, subjected the Plaintiff to such deprivations by malice and a reckless  
and conscious disregard of his rights and in violations under RCW § 9A.46.020 and  
RCW § 9A.46.010, constituting harassment, in which the Plaintiff was targeted on the  
date of November 3, 2007, by several Washington State Patrol Troopers of whom the

1 Plaintiff had previously encountered [Reference Paragraph 4G (Subsection 4G.3)], and a  
2 violation of RCW § 9A.010, which defines the denial of civil rights [Reference  
3 Paragraph 4J (Subsection 4J.2)], and a violation of RCW § 9A.36.070, which defines  
4 coercion [Reference Paragraph 4P (Subsection 4P.2)], and a violation of  
5 RCW § 9A.36.080, which defines malicious harassment [Reference Paragraph 4Q  
6 (Subsection 4Q.2)], and a violation of RCW § 9A.46.110, which defines stalking  
7 [Reference Paragraph 4T (Subsection 4T.2)], and a violation of RCW § 9A.80.010, which  
8 defines official misconduct [Reference Paragraph 4Y (Subsection 4Y.2)], and a violation  
9 of the Fourth Amendment [Reference Paragraph 4BB (Subsection 4BB.9)], and a  
10 violation of the Fifth Amendment [Reference Paragraph 4CC (Subsection 4CC.2)], and a  
11 violation of the Fourteenth Amendment [Reference Paragraph 4FF (Subsection 4FF.2)].

12 **3.3** On the date of November 3, 2007, the alleged witness Randy Flores placed a  
13 call to 911 regarding a white Ford Crown Victoria. Alleged witness Randy Flores claims  
14 that he placed the call to 911 at 9:30AM. This fact is substantiated by Trooper  
15 Christopher Noll, who claims that the call was received at 9:30AM.

16 **3.4** Alleged witness Randy Flores indicates that a white Ford Crown Victoria  
17 approached him from behind on Southbound Interstate-5 and “flashed headlights” at him.  
18 Alleged witness Randy Flores indicates that the vehicle then passed him at a “high rate of  
19 speed”. Alleged witness Randy Flores then provides a description which did not match  
20 the clothing the Plaintiff was wearing on the date and time of the alleged incident. Nor  
21 did it match the description which was later reported by Defendant Trooper Noll in his  
22 Narrative or “Sworn Affidavit”. The statement of alleged witness Randy Flores is further  
23 inconsistent in that he alleges that the driver of the white Ford Crown Victoria was  
24 wearing a “brown jacket”, yet he indicates that he saw tattoos on the driver’s left arm,  
25 making the sworn affidavit of the alleged witness not only contradictory but highly  
questionable.

**3.5** The Plaintiff never flashed headlights while traveling on Southbound Interstate-5.  
Additionally, no Washington State Trooper or other law enforcement officer witnessed  
such action, nor was the Plaintiff cited for any such violation, and therefore there is a  
presumption of no wrongdoing specifically in the fact that no action or crime or  
violation of law occurred.

1       **3.6**     Alleged witness Randy Flores' indication of the Plaintiff passing him at "a high  
2     rate of speed" can neither be supported by documentation, evidence, or witness  
3     statements, other than the single "biased" statement of Randy Flores, who has provided  
4     an inconsistent and highly questionable, third party, hearsay statement, which holds no  
5     factual basis in its occurrence. Randy Flores cannot even provide an accurate description  
6     of the vehicle's driver, nor of his appearance, or clothing, or rather, the "accurate"  
7     description provided by Randy Flores is a clear indication that the Plaintiff was not the  
8     individual Randy Flores placed the 911 call regarding.

9       **3.7**     Randy Flores did not possess the training or expertise to determine or assess or  
10    support his allegation of "high rate of speed" or support such allegations with speed  
11    measurement or experience in pacing or visual estimation. The allegation of a "high rate  
12    of speed" is merely an indication that the Plaintiff was traveling the speed limit in the  
13    left hand lane, while the alleged witness Randy Flores was traveling below the speed  
14    limit.

15       **3.8**     At the time that Randy Flores placed his call to 911, according to time, speed, and  
16    distance calculations, the vehicle the Plaintiff was operating, also a white Ford Crown  
17    Victoria, was 4.7 miles south of the location at which Randy Flores indicates that he  
18    encountered a vehicle of a similar description which he alleges "flashed headlights" at  
19    him and then passed him at a "high rate of speed" to which there is no supporting  
20    evidence, nor were such actions witnessed by any Washington State Trooper, or any  
21    other law enforcement officer in order to substantiate such an allegation as required by  
22    law, as defined by RCW § 10.31.100, which ***"defines arrest without warrant, indicating  
23    that 'a police officer may arrest a person without a warrant for committing a  
24    misdemeanor or gross misdemeanor only when the offense is committed in the  
25    presence of the officer,"*** actions subsequently taken by the Defendant officers in direct  
26    violation of RCW § 10.31.100, which defines arrest without warrant [Reference  
27    Paragraph 4K (Subsection)] and additionally [Reference Paragraphs 4A and 4B], to  
28    which the Defendant officers additionally acted in violation of RCW § 9.91.010, which  
29    defines the denial of civil rights [Reference Paragraph 4J (Subsection 4J.2)], and a  
30    violation of RCW § 9A.80.010, which defines official misconduct [Reference  
31    Paragraph 4Y (Subsection 4Y.2)], defines official misconduct [Reference Paragraph 4Y

1 (Subsection 4Y.2)], and a violation of the Fourth Amendment [Reference Paragraph 4BB  
2 (Subsection 4BB.9)], and a violation of the Fifth Amendment [Reference Paragraph 4CC  
3 (Subsection 4CC.2)], and a violation of the Fourteenth Amendment [Reference  
Paragraph 4FF (Subsection 4FF.2)].

4 **3.9** The WSP CAD LOG, indicates that a call was received at 9:26:22, and  
5 referencing the first location 24 seconds later, in which Randy Flores claims that the  
6 vehicle in question was passing Mile Post 114, from the location at which the call was  
7 placed at Mile Post 116, the vehicle passing Randy Flores would have had to have been  
8 traveling at a rate of speed of 273 miles per hour, to cover the 9600 feet of distance  
9 between Mile Post 116 and Mile Post 114. Randy Flores would have been unable to  
10 provide an accurate description of the driver or provide an accurate license plate number  
11 at such speeds. The white Ford Crown Victoria operated by the Plaintiff, which was  
12 traveling 4.7 miles south of Randy Flores' location at the time of the call, was not  
13 mechanically capable of reaching a speed of 273 miles per hour, and was not the vehicle  
14 which passed Randy Flores at Mile Post 116 which he alleges flashed its headlights at  
15 him. If we base the assumption of this, as the entire incident, and the subsequent fact that  
16 the investigation by the Washington State Patrol was based solely upon assumption and  
17 presumption, it is only then obvious to assume that when Randy Flores accelerated his  
18 own vehicle to a speed of 140 miles per hour in order to locate the vehicle which had  
19 passed him, Randy Flores then located the Plaintiff's vehicle which appeared similar in  
20 make and model to the vehicle which had in fact passed Randy Flores, to which Randy  
21 Flores then provided the license plate number to the Washington State Patrol  
22 intentionally, and in error. Regardless of this, the allegation remained hearsay, and was  
23 not substantiated by the Washington State Patrol, or corroborated by any other witness or  
24 witness statement, to which there exists a direct violation under RCW § 10.31.100, which  
25 *"defines arrest without warrant, indicating that 'a police officer may arrest a person  
without a warrant for committing a misdemeanor or gross misdemeanor only when the  
offense is committed in the presence of the officer,'" [Reference Paragraph 4K  
(Subsection) and Section III (Paragraph 3.8)].*

24 **3.10** Based upon the statement of Randy Flores, and the description, and time and  
25 location, the vehicle which Randy Flores alleges passed him on Southbound Interstate-5

1 at 9:30AM, was not the vehicle driven by the Plaintiff. Additionally, due to violations of  
2 RCW § 9A.72.150, which defines tampering with physical evidence [Reference  
3 Paragraph 4X (Subsection 4X.2)], to which the Washington State Patrol knowingly  
4 destroyed the 911 tape which prompted the traffic stop on the date of November 3, 2007,  
5 on the date of February 12, 2008 [date of destruction of evidence], which was "evidence"  
6 to an "official proceeding," there is no longer a way in which to verify the license plate  
7 number alleged in the 911 call by the alleged witness Randy Flores, thereby which we  
8 must now rely on the perjured statements provided by the Defendant officers, who  
9 knowingly and willingly with malicious intent, provided perjured affidavits and  
10 narratives in violations of RCW § 9A.72.020, which defines perjury in the first degree  
11 [Reference Paragraph 4V (Subsection 4V.2)] and a violation of RCW § 9A.72.050, which  
12 defines perjury and false swearing [Reference Paragraph 4W (Subsection 4W.2)].

13 **3.11** At no time did any Washington State Patrol Trooper witness any civil infractions  
14 or any criminal actions being committed by the Plaintiff. No Washington State  
15 Patrol Trooper witnessed the allegations made by Randy Flores, nor did any Washington State  
16 Patrol Trooper take a speed measurement to substantiate the claim of speeding or witness  
17 the actions of a person attempting to commit criminal impersonation, to which none of  
18 the necessary elements required for a violation of RCW 9A.60.045, defining criminal  
19 impersonation in the second degree, were ever witnessed by either the alleged witness  
20 Randy Flores, or any of the Defendant officers making all subsequent actions by the  
21 Defendant officers illegal, and in direct violation of RCW § 10.31.100, which defines  
22 arrest without warrant [Reference Paragraph 4K (Subsection) and Section III  
23 (Paragraph 3.8)], as well as violations of all subsequent cause of actions as notated  
24 below [Reference Section IV Liability and Damages (Cause of Action Paragraphs 4A  
25 through 4HH)]. The statement provided by Randy Flores was falsely reported, and the  
Washington State Patrol took actions against the Plaintiff based solely upon hearsay in  
direct violation of the Plaintiffs civil and constitutional rights in violation of Title 42  
U.S.C. § 1983 [Reference Paragraph 4C (Subsection 4C.2)], the First Amendment  
[Reference Paragraph 4Z (Subsection 4Z.2)], the Second Amendment [Reference  
Paragraph 4AA (Subsection 4AA.2)], the Fourth Amendment [Reference Paragraph 4BB  
(Subsection 4BB.2 through 4BB.12)], the Fifth Amendment [Reference Paragraph 4CC

1 (Subsection 4CC.2 through 4CC.6)], the Sixth Amendment [Reference Paragraph 4DD  
2 (Subsection 4DD.2 through 4DD.5)], the Eighth Amendment [Reference Paragraph 4EE  
3 (Subsection 4EE.2 through 4EE.4)], the Fourteenth Amendment [Reference Paragraph  
4 4FF (Subsection 4FF.2 through 4FF.5)], the Civil Rights Act of 1964 [Reference  
Paragraph 4GG (Subsection 4GG.2 through 4GG.4)].

5 **3.12** Randy Flores made no allegation of flashing a spotlight. The allegation of  
6 flashing a spotlight was created after the fact by the Washington State Patrol and  
7 Defendant, Detective Juli Gunderman in direct violation of RCW § 9A.72.020, which  
8 defines perjury in the first degree [Reference Paragraph 4V (Subsection 4V.2)] and a  
9 violation of RCW § 9A.72.050, which defines perjury and false swearing [Reference  
10 Paragraph 4W (Subsection 4W.2)] and violations of both RCW § 9.58.080 and  
11 RCW § 9.58.010, which indicates and clearly defines libel and defamation [Reference  
12 Paragraph 4F (Subsection 4F.2 through 4F.3)] and a violation of RCW § 9A.80.010,  
13 which defines official misconduct [Reference Paragraph 4Y (Subsection 4Y.2)]. The fact  
14 was that the spotlight on the vehicle was pointed down and away while the Plaintiff's  
15 vehicle was being operated, and it was non-functional at the time of the traffic stop, with  
16 wires exposed and use of the spotlight itself was never witnessed by any Washington  
17 State Trooper or any of the Defendant officers who made the allegation of spotlight  
18 usage in their sworn affidavits and narratives, in violation of RCW § 9A.72.020, which  
19 defines perjury in the first degree [Reference Paragraph 4V (Subsection 4V.2)] and a  
20 violation of RCW § 9A.72.050, which defines perjury and false swearing [Reference  
Paragraph 4W (Subsection 4W.2)] and violations of both RCW § 9.58.080 and  
RCW § 9.58.010, which indicates and clearly defines libel and defamation [Reference  
Paragraph 4F (Subsection 4F.2 through 4F.3)] and a violation of RCW § 9A.80.010,  
which defines official misconduct [Reference Paragraph 4Y (Subsection 4Y.2)].

21 **3.13** The Plaintiff provided documentation and explanation, as well as evidence at the  
22 time of the traffic stop against the hearsay allegations of Randy Flores, yet the  
23 Washington State Patrol and Defendants, Troopers Nicholas Casto, Robert Howson,  
24 Christopher Noll, James Meldrum, Ryan Durbin and Steven Jones along with  
25 Washington State Patrol Sergeant Tom Martin ignored these documents, statements and  
facts which obviously exonerated the Plaintiff and provided a factual basis for no crime

1 having occurred, and refused to corroborate any of the information provided. The actions  
2 of all Defendant officers in detaining, interrogating and arresting the Plaintiff without  
3 legal cause deprived him of his Fourth Amendment rights to be free from deprivations of  
4 liberty without due process. Defendant officers, and each of them, subjected the Plaintiff  
5 to such deprivations by malice and a reckless and conscious disregard of his rights in  
6 violations of Title 42 U.S.C. § 1983 [Reference Paragraph 4C (Subsection 4C.2 through  
7 4C.3)], and RCW § 9.58.080 and RCW § 9.58.010, which indicates and clearly defines  
8 libel and defamation [Reference Paragraph 4F (Subsection 4F.2 through 4F.3)], and  
9 RCW § 9A.46.020 and RCW § 9A.46.010 which defines harassment [Reference  
10 Paragraph 4G (Subsection 4G.2 through 4G.3)], and RCW § 9.62.010, which defines  
11 malicious prosecution [Reference Paragraph 4H (Subsection 4H.2)], and  
12 RCW § 10.79.040, which defines search without warrant unlawful [Reference  
13 Paragraph 4I (Subsection 4I.2 through 4I.3)], and RCW § 9.91.010, which defines the  
14 denial of civil rights [Reference Paragraph 4J (Subsection 4J.2 through 4J.3)], and  
15 RCW § 10.31.100, which *“defines arrest without warrant, indicating that ‘a police  
16 officer may arrest a person without a warrant for committing a misdemeanor or gross  
17 misdemeanor only when the offense is committed in the presence of the officer”*  
18 [Reference Paragraph 4K (Subsection 4K.2 through 4K.3)], and RCW § 9A.48.070,  
19 which defines malicious mischief in the first degree [Reference Paragraph 4L  
20 (Subsection 4L.2)], and RCW § 9A.36.011, which defines assault in the first degree  
21 [Reference Paragraph 4M (Subsection 4M.2 through 4M.3)], and RCW § 9A.36.021,  
22 which defines assault in the second degree [Reference Paragraph 4N (Subsection 4N.2  
23 through 4N.3)], and RCW § 9A.36.050, which defines reckless endangerment  
24 [Reference Paragraph 4O (Subsection 4O.2)], and RCW § 9A.36.070, which defines  
25 coercion [Reference Paragraph 4P (Subsection 4P.2 through 4P.3)], and  
RCW § 9A.36.080, which defines malicious harassment [Reference Paragraph 4Q  
(Subsection 4Q.2)], and RCW § 9A.40.020, which defines kidnapping in the first degree  
[Reference Paragraph 4R (Subsection 4R.2 through 4R.3)], and RCW § 9A.40.040,  
which defines unlawful imprisonment [Reference Paragraph 4S (Subsection 4S.2  
through 4S.3)], and RCW § 9A.46.110, which defines stalking [Reference Paragraph 4T  
(Subsection 4T.2 through 4T.3)], and RCW § 9A.56.200 which defines robbery in the

1 first degree [Reference Paragraph 4U (Subsection 4U.2 through 4U.3)], and  
2 RCW § 9A.72.020, which defines perjury in the first degree [Reference Paragraph 4V  
3 (Subsection 4V.2 through 4V.3)], and RCW § 9A.72.050, which defines perjury and  
4 false swearing [Reference Paragraph 4W (Subsection 4W.2 through 4W.3)], and  
5 RCW § 9A.72.150, which defines tampering with physical evidence [Reference  
6 Paragraph 4X (Subsection 4X.2 through 4X.3)], and RCW § 9A.80.010, which defines  
7 official misconduct [Reference Paragraph 4Y (Subsection 4Y.2 through 4Y.8)], and the  
8 First Amendment, *in that the Supreme Court held that the Due Process Clause of the*  
9 *Fourteenth Amendment applies the First Amendment to each state, including any*  
10 *local government* [Reference Paragraph 4Z (Subsection 4Z.2 through 4Z.4)], and the  
11 Second Amendment as it *is applicable to the States and political subdivisions thereof*  
12 *through the Fourteenth Amendment* [Reference Paragraph 4AA (Subsection 4AA.2  
13 through 4AA.5)], and the Fourth Amendment as it *applies to the states by way of the*  
14 *Due Process Clause of the Fourteenth Amendment* [Reference Paragraph 4BB  
15 (Subsection 4BB.2 through 4BB.12)], and the Fifth Amendment in that *"the fifth*  
16 *amendment prevents individuals from being deprived of life, liberty, or property*  
17 *without "due process of law." Due process extends to all persons and corporate*  
18 *entities. The Fourteenth Amendment explicitly binds the states with due process*  
19 *protections, through selective incorporation* [Reference Paragraph 4CC (Subsection  
20 4CC.2 through 4CC.6)], and the Sixth Amendment in that *the Supreme Court has*  
21 *applied the protections of this amendment to the states through the Due Process*  
22 *Clause of the Fourteenth Amendment* [Reference Paragraph 4DD (Subsection 4DD.2  
23 through 4DD.5)], and the Eighth Amendment in that *in Louisiana ex rel. Francis v.*  
24 *Resweber 329 U.S. 459 (1947), the Supreme Court assumed that the Cruel and*  
25 *Unusual Punishments Clause applied to the states. In Robinson v. California, 370*  
*U.S. 660 (1962), the Court ruled that clause did apply to the states through the Due*  
*Process Clause of the Fourteenth Amendment* [Reference Paragraph 4EE (Subsection  
4EE.2 through 4EE.4)], and the Fourteenth Amendment in that *its Due Process Clause*  
*has been used to apply most of the Bill of Rights to the states. This clause has also*  
*been used to recognize: (1) substantive due process rights, such as parental and*  
*marriage rights; and (2) procedural due process rights requiring that certain steps,*

1 *such as a hearing, be followed before a person's "life, liberty, or property" can be*  
2 *taken away. The amendment's Equal Protection Clause requires states to provide*  
3 *equal protection under the law to all people within their jurisdictions* [Reference  
4 *Paragraph 4FF (Subsection 4FF.2 through 4FF.5)], and the Civil Rights Act of 1964,*  
5 *which outlines under Title VI, "[the prevention off] discrimination by government*  
6 *agencies that receive federal funding* [Reference Paragraph 4GG (Subsection 4GG.2  
7 through 4GG.4)]. Defendants, Troopers Nicholas Casto, Robert Howson, Christopher  
8 Noll, James Meldrum, Ryan Durbin and Steven Jones along with Washington State  
9 Patrol Sergeant Tom Martin, arrested the Plaintiff for criminal impersonation in the  
10 second degree in direct violation of the laws described herein [Reference Paragraphs  
11 4A through 4HH (including all subsections)].

12 **3.14** Because of the drastic misstatements and untruths written in Defendants,  
13 Troopers Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Ryan  
14 Durbin and Steven Jones along with Washington State Patrol Sergeant Tom Martin's  
15 arrest report, their sworn affidavits and narratives, the Plaintiff, Mr. Friedmann was  
16 arrested, booked, and had his firearms illegally seized and held without cause for a total  
17 of nine months. Defendant officers, and each of them, subjected the Plaintiff  
18 to such deprivations by malice and a reckless and conscious disregard of his rights in  
19 violations of Title 42 U.S.C. § 1983 [Reference Paragraph 4C (Subsection 4C.2 through  
20 4C.3)], and RCW § 9.58.080 and RCW § 9.58.010, which indicates and clearly defines  
21 libel and defamation [Reference Paragraph 4F (Subsection 4F.2 through 4F.3)], and  
22 RCW § 9A.46.020 and RCW § 9A.46.010 which define harassment [Reference  
23 Paragraph 4G (Subsection 4G.2 through 4G.3)], and RCW § 9.62.010, which defines  
24 malicious prosecution [Reference Paragraph 4H (Subsection 4H.2)], and  
25 RCW § 10.79.040, which defines search without warrant unlawful [Reference  
Paragraph 4I (Subsection 4I.2 through 4I.3)], and RCW § 9.91.010, which defines the  
denial of civil rights [Reference Paragraph 4J (Subsection 4J.2 through 4J.3)], and  
RCW § 10.31.100, which *"defines arrest without warrant, indicating that 'a police  
officer may arrest a person without a warrant for committing a misdemeanor or gross  
misdemeanor only when the offense is committed in the presence of the officer'"*  
[Reference Paragraph 4K (Subsection 4K.2 through 4K.3)], and RCW § 9A.48.070,

1 which defines malicious mischief in the first degree [Reference Paragraph 4L  
2 (Subsection 4L.2)], and RCW § 9A.36.011, which defines assault in the first degree  
3 [Reference Paragraph 4M (Subsection 4M.2 through 4M.3)], and RCW § 9A.36.021,  
4 which defines assault in the second degree [Reference Paragraph 4N (Subsection 4N.2  
5 through 4N.3)], and RCW § 9A.36.050, which defines reckless endangerment  
6 [Reference Paragraph 4O (Subsection 4O.2)], and RCW § 9A.36.070, which defines  
7 coercion [Reference Paragraph 4P (Subsection 4P.2 through 4P.3)], and  
8 RCW § 9A.36.080, which defines malicious harassment [Reference Paragraph 4Q  
9 (Subsection 4Q.2)], and RCW § 9A.40.020, which defines kidnapping in the first degree  
10 [Reference Paragraph 4R (Subsection 4R.2 through 4R.3)], and RCW § 9A.40.040,  
11 which defines unlawful imprisonment [Reference Paragraph 4S (Subsection 4S.2  
12 through 4S.3)], and RCW § 9A.46.110, which defines stalking [Reference Paragraph 4T  
13 (Subsection 4T.2 through 4T.3)], and RCW § 9A.56.200 which defines robbery in the  
14 first degree [Reference Paragraph 4U (Subsection 4U.2 through 4U.3)], and  
15 RCW § 9A.72.020, which defines perjury in the first degree [Reference Paragraph 4V  
16 (Subsection 4V.2 through 4V.3)], and RCW § 9A.72.050, which defines perjury and  
17 false swearing [Reference Paragraph 4W (Subsection 4W.2 through 4W.3)], and  
18 RCW § 9A.72.150, which defines tampering with physical evidence [Reference  
19 Paragraph 4X (Subsection 4X.2 through 4X.3)], and RCW § 9A.80.010, which defines  
20 official misconduct [Reference Paragraph 4Y (Subsection 4Y.2 through 4Y.8)], and the  
21 First Amendment, *in that the Supreme Court held that the Due Process Clause of the  
22 Fourteenth Amendment applies the First Amendment to each state, including any  
23 local government* [Reference Paragraph 4Z (Subsection 4Z.2 through 4Z.4)], and the  
24 Second Amendment as it *is applicable to the States and political subdivisions thereof  
25 through the Fourteenth Amendment* [Reference Paragraph 4AA (Subsection 4AA.2  
through 4AA.5)], and the Fourth Amendment as it *applies to the states by way of the  
Due Process Clause of the Fourteenth Amendment* [Reference Paragraph 4BB  
(Subsection 4BB.2 through 4BB.12)], and the Fifth Amendment in that *"the fifth  
amendment prevents individuals from being deprived of life, liberty, or property  
without "due process of law." Due process extends to all persons and corporate  
entities. The Fourteenth Amendment explicitly binds the states with due process*

1 *protections, through selective incorporation* [Reference Paragraph 4CC (Subsection  
 2 4CC.2 through 4CC.6)], and the Sixth Amendment in that *the Supreme Court has*  
 3 *applied the protections of this amendment to the states through the Due Process*  
 4 *Clause of the Fourteenth Amendment* [Reference Paragraph 4DD (Subsection 4DD.2  
 5 through 4DD.5)], and the Eighth Amendment in that *in Louisiana ex rel. Francis v.*  
 6 *Resweber 329 U.S. 459 (1947), the Supreme Court assumed that the Cruel and*  
 7 *Unusual Punishments Clause applied to the states. In Robinson v. California, 370*  
 8 *U.S. 660 (1962), the Court ruled that clause did apply to the states through the Due*  
 9 *Process Clause of the Fourteenth Amendment* [Reference Paragraph 4EE (Subsection  
 10 4EE.2 through 4EE.4)], and the Fourteenth Amendment in that *its Due Process Clause*  
 11 *has been used to apply most of the Bill of Rights to the states. This clause has also*  
 12 *been used to recognize: (1) substantive due process rights, such as parental and*  
 13 *marriage rights; and (2) procedural due process rights requiring that certain steps,*  
 14 *such as a hearing, be followed before a person's "life, liberty, or property" can be*  
 15 *taken away. The amendment's Equal Protection Clause requires states to provide*  
 16 *equal protection under the law to all people within their jurisdictions* [Reference  
 17 Paragraph 4FF (Subsection 4FF.2 through 4FF.5)], and the Civil Rights Act of 1964,  
 18 *which outlines under Title VI, "[the prevention of] discrimination by government*  
 19 *agencies that receive federal funding* [Reference Paragraph 4GG (Subsection 4GG.2  
 20 through 4GG.4)].

17 **3.15** Defendant, Detective Juli Mitchell, now Detective Juli Gunderman, indicates in  
 18 her Investigation Log Report, that she contacted the alleged witness in 2003, which was  
 19 four years before the incident alleged to have occurred on the date of November 3, 2007.

20 **3.16** Defendant, Detective Juli Mitchell indicates in her Investigation Log Report that  
 21 she contacted Randy Flores at 7:15AM, the call to 911 was not placed until, as alleged by  
 22 both Randy Flores and Defendant, Trooper Christopher Noll, 9:30AM.

23 **3.17** The Plaintiff was targeted on the date of November 3, 2007, by several  
 24 Washington State Patrol Troopers of whom the Plaintiff had previously encountered. The  
 25 Plaintiff, through the not for profit corporation known as the Washington State Police  
 Investigations Commission, had since the year 2000, filed complaints of harassment and  
 misconduct against Washington State Patrol Troopers Nicholas Casto, Robert Howson,

1 John Hazuka, "John Doe" Clevenger, as well as Sergeant Olsen and Sergeant Ramirez.  
2 Coincidentally, these were the same individuals who initiated the traffic stop on the date of  
3 November 3, 2007. Defendant officers, and each of them, subjected the Plaintiff  
4 to such deprivations by malice and a reckless and conscious disregard of his rights in  
5 violations of Title 42 U.S.C. § 1983 [Reference Paragraph 4C (Subsection 4C.2 through  
6 4C.3)], and RCW § 9.58.080 and RCW § 9.58.010, which indicates and clearly defines  
7 libel and defamation [Reference Paragraph 4F (Subsection 4F.2 through 4F.3)], and  
8 RCW § 9A.46.020 and RCW § 9A.46.010 which defines harassment [Reference  
9 Paragraph 4G (Subsection 4G.2 through 4G.3)], and RCW § 9.62.010, which defines  
10 malicious prosecution [Reference Paragraph 4H (Subsection 4H.2)], and  
11 RCW § 10.79.040, which defines search without warrant unlawful [Reference  
12 Paragraph 4I (Subsection 4I.2 through 4I.3)], and RCW § 9.91.010, which defines the  
13 denial of civil rights [Reference Paragraph 4J (Subsection 4J.2 through 4J.3)], and  
14 RCW § 10.31.100, which ***"defines arrest without warrant, indicating that 'a police  
15 officer may arrest a person without a warrant for committing a misdemeanor or gross  
16 misdemeanor only when the offense is committed in the presence of the officer'"***  
17 [Reference Paragraph 4K (Subsection 4K.2 through 4K.3)], and RCW § 9A.48.070,  
18 which defines malicious mischief in the first degree [Reference Paragraph 4L  
19 (Subsection 4L.2)], and RCW § 9A.36.011, which defines assault in the first degree  
20 [Reference Paragraph 4M (Subsection 4M.2 through 4M.3)], and RCW § 9A.36.021,  
21 which defines assault in the second degree [Reference Paragraph 4N (Subsection 4N.2  
22 through 4N.3)], and RCW § 9A.36.050, which defines reckless endangerment  
23 [Reference Paragraph 4O (Subsection 4O.2)], and RCW § 9A.36.070, which defines  
24 coercion [Reference Paragraph 4P (Subsection 4P.2 through 4P.3)], and  
25 RCW § 9A.36.080, which defines malicious harassment [Reference Paragraph 4Q  
(Subsection 4Q.2)], and RCW § 9A.40.020, which defines kidnapping in the first degree  
[Reference Paragraph 4R (Subsection 4R.2 through 4R.3)], and RCW § 9A.40.040,  
which defines unlawful imprisonment [Reference Paragraph 4S (Subsection 4S.2  
through 4S.3)], and RCW § 9A.46.110, which defines stalking [Reference Paragraph 4T  
(Subsection 4T.2 through 4T.3)], and RCW § 9A.56.200 which defines robbery in the  
first degree [Reference Paragraph 4U (Subsection 4U.2 through 4U.3)], and

1 RCW § 9A.72.020, which defines perjury in the first degree [Reference Paragraph 4V  
2 (Subsection 4V.2 through 4V.3)], and RCW § 9A.72.050, which defines perjury and  
3 false swearing [Reference Paragraph 4W (Subsection 4W.2 through 4W.3)], and  
4 RCW § 9A.72.150, which defines tampering with physical evidence [Reference  
5 Paragraph 4X (Subsection 4X.2 through 4X.3)], and RCW § 9A.80.010, which defines  
6 official misconduct [Reference Paragraph 4Y (Subsection 4Y.2 through 4Y.8)], and the  
7 First Amendment, *in that the Supreme Court held that the Due Process Clause of the*  
8 *Fourteenth Amendment applies the First Amendment to each state, including any*  
9 *local government* [Reference Paragraph 4Z (Subsection 4Z.2 through 4Z.4)], and the  
10 Second Amendment as it *is applicable to the States and political subdivisions thereof*  
11 *through the Fourteenth Amendment* [Reference Paragraph 4AA (Subsection 4AA.2  
12 through 4AA.5)], and the Fourth Amendment as it *applies to the states by way of the*  
13 *Due Process Clause of the Fourteenth Amendment* [Reference Paragraph 4BB  
14 (Subsection 4BB.2 through 4BB.12)], and the Fifth Amendment in that *"the fifth*  
15 *amendment prevents individuals from being deprived of life, liberty, or property*  
16 *without "due process of law." Due process extends to all persons and corporate*  
17 *entities. The Fourteenth Amendment explicitly binds the states with due process*  
18 *protections, through selective incorporation* [Reference Paragraph 4CC (Subsection  
19 4CC.2 through 4CC.6)], and the Sixth Amendment in that *the Supreme Court has*  
20 *applied the protections of this amendment to the states through the Due Process*  
21 *Clause of the Fourteenth Amendment* [Reference Paragraph 4DD (Subsection 4DD.2  
22 through 4DD.5)], and the Eighth Amendment in that *in Louisiana ex rel. Francis v.*  
23 *Resweber 329 U.S. 459 (1947), the Supreme Court assumed that the Cruel and*  
24 *Unusual Punishments Clause applied to the states. In Robinson v. California, 370*  
25 *U.S. 660 (1962), the Court ruled that clause did apply to the states through the Due*  
*Process Clause of the Fourteenth Amendment* [Reference Paragraph 4EE (Subsection  
4EE.2 through 4EE.4)], and the Fourteenth Amendment in that *its Due Process Clause*  
*has been used to apply most of the Bill of Rights to the states. This clause has also*  
*been used to recognize: (1) substantive due process rights, such as parental and*  
*marriage rights; and (2) procedural due process rights requiring that certain steps,*  
*such as a hearing, be followed before a person's "life, liberty, or property" can be*

1 *taken away. The amendment's Equal Protection Clause requires states to provide*  
 2 *equal protection under the law to all people within their jurisdictions* [Reference  
 3 *Paragraph 4FF (Subsection 4FF.2 through 4FF.5)], and the Civil Rights Act of 1964,*  
 4 *which outlines under Title VI, "[the prevention of] discrimination by government*  
 5 *agencies that receive federal funding* [Reference Paragraph 4GG (Subsection 4GG.2  
 6 *through 4GG.4)]. As a matter of additional record, Defendants, Sergeant Olsen and*  
 7 *Sergeant Ramirez failed to provide narrative of documentation to show that they were*  
 8 *involved in the incident and present at the scene following the initial arrest in violations*  
 9 *of RCW § 9A.36.070, which defines coercion* [Reference Paragraph 4P (Subsection  
 10 *4P.2 through 4P.3)], and RCW § 9A.36.080, which defines malicious harassment*  
 11 *[Reference Paragraph 4Q (Subsection 4Q.2)], and RCW § 9A.46.110, which defines*  
 12 *stalking* [Reference Paragraph 4T (Subsection 4T.2 through 4T.3)], which defines  
 13 *official misconduct* [Reference Paragraph 4Y (Subsection 4Y.2 through 4Y.8)].  
 14 Additionally, Defendant, Trooper Christopher Noll's dash camera footage was tampered  
 15 with following the traffic stop in violation of RCW § 9A.72.150, which defines  
 16 tampering with physical evidence [Reference Paragraph 4X (Subsection 4X.2 through  
 17 4X.3)].

18 **3.18** Defendant, Detective Juli Mitchell, now Juli Gunderman, indicated in a  
 19 conversation with Colonel Robert U. Schultz, Jr., on the date of November 3, 2007, that  
 20 nothing the Plaintiff had done was illegal, and that everything was circumstantial but that  
 21 she [Detective Juli Gunderman] was going to go ahead and arrest the Plaintiff anyways in  
 22 direct violations of Title 42 U.S.C. § 1983 [Reference Paragraph 4C (Subsection 4C.2  
 23 through 4C.3)], and RCW § 9.58.080 and RCW § 9.58.010, which indicates and clearly  
 24 defines libel and defamation [Reference Paragraph 4F (Subsection 4F.2 through 4F.3)],  
 25 and RCW § 9A.46.020 and RCW § 9A.46.010 which defines harassment [Reference  
 Paragraph 4G (Subsection 4G.2 through 4G.3)], and RCW § 9.62.010, which defines  
 malicious prosecution [Reference Paragraph 4H (Subsection 4H.2)], and  
 RCW § 10.79.040, which defines search without warrant unlawful [Reference  
 Paragraph 4I (Subsection 4I.2 through 4I.3)], and RCW § 9.91.010, which defines the  
 denial of civil rights [Reference Paragraph 4J (Subsection 4J.2 through 4J.3)], and  
 RCW § 10.31.100, which *"defines arrest without warrant, indicating that 'a police*

1 *officer may arrest a person without a warrant for committing a misdemeanor or gross*  
 2 *misdemeanor only when the offense is committed in the presence of the officer”*

3 [Reference Paragraph 4K (Subsection 4K.2 through 4K.3)], and RCW § 9A.48.070,  
 4 which defines malicious mischief in the first degree [Reference Paragraph 4L  
 5 (Subsection 4L.2)], and RCW § 9A.36.011, which defines assault in the first degree  
 6 [Reference Paragraph 4M (Subsection 4M.2 through 4M.3)], and RCW § 9A.36.021,  
 7 which defines assault in the second degree [Reference Paragraph 4N (Subsection 4N.2  
 8 through 4N.3)], and RCW § 9A.36.050, which defines reckless endangerment  
 9 [Reference Paragraph 4O (Subsection 4O.2)], and RCW § 9A.36.070, which defines  
 10 coercion [Reference Paragraph 4P (Subsection 4P.2 through 4P.3)], and  
 11 RCW § 9A.36.080, which defines malicious harassment [Reference Paragraph 4Q  
 12 (Subsection 4Q.2)], and RCW § 9A.40.020, which defines kidnapping in the first degree  
 13 [Reference Paragraph 4R (Subsection 4R.2 through 4R.3)], and RCW § 9A.40.040,  
 14 which defines unlawful imprisonment [Reference Paragraph 4S (Subsection 4S.2  
 15 through 4S.3)], and RCW § 9A.46.110, which defines stalking [Reference Paragraph 4T  
 16 (Subsection 4T.2 through 4T.3)], and RCW § 9A.56.200 which defines robbery in the  
 17 first degree [Reference Paragraph 4U (Subsection 4U.2 through 4U.3)], and  
 18 RCW § 9A.72.020, which defines perjury in the first degree [Reference Paragraph 4V  
 19 (Subsection 4V.2 through 4V.3)], and RCW § 9A.72.050, which defines perjury and  
 20 false swearing [Reference Paragraph 4W (Subsection 4W.2 through 4W.3)], and  
 21 RCW § 9A.72.150, which defines tampering with physical evidence [Reference  
 22 Paragraph 4X (Subsection 4X.2 through 4X.3)], and RCW § 9A.80.010, which defines  
 23 official misconduct [Reference Paragraph 4Y (Subsection 4Y.2 through 4Y.8)], and the  
 24 First Amendment, *in that the Supreme Court held that the Due Process Clause of the*  
 25 *Fourteenth Amendment applies the First Amendment to each state, including any*  
*local government* [Reference Paragraph 4Z (Subsection 4Z.2 through 4Z.4)], and the  
 Second Amendment as it *is applicable to the States and political subdivisions thereof*  
*through the Fourteenth Amendment* [Reference Paragraph 4AA (Subsection 4AA.2  
 through 4AA.5)], and the Fourth Amendment as it *applies to the states by way of the*  
*Due Process Clause of the Fourteenth Amendment* [Reference Paragraph 4BB  
 (Subsection 4BB.2 through 4BB.12)], and the Fifth Amendment in that *“the fifth*

1 *amendment prevents individuals from being deprived of life, liberty, or property*  
2 *without "due process of law." Due process extends to all persons and corporate*  
3 *entities. The Fourteenth Amendment explicitly binds the states with due process*  
4 *protections, through selective incorporation* [Reference Paragraph 4CC (Subsection  
5 *4CC.2 through 4CC.6)], and the Sixth Amendment in that the Supreme Court has*  
6 *applied the protections of this amendment to the states through the Due Process*  
7 *Clause of the Fourteenth Amendment* [Reference Paragraph 4DD (Subsection 4DD.2  
8 *through 4DD.5)], and the Eighth Amendment in that in Louisiana ex rel. Francis v.*  
9 *Resweber 329 U.S. 459 (1947), the Supreme Court assumed that the Cruel and*  
10 *Unusual Punishments Clause applied to the states. In Robinson v. California, 370*  
11 *U.S. 660 (1962), the Court ruled that clause did apply to the states through the Due*  
12 *Process Clause of the Fourteenth Amendment* [Reference Paragraph 4EE (Subsection  
13 *4EE.2 through 4EE.4)], and the Fourteenth Amendment in that its Due Process Clause*  
14 *has been used to apply most of the Bill of Rights to the states. This clause has also*  
15 *been used to recognize: (1) substantive due process rights, such as parental and*  
16 *marriage rights; and (2) procedural due process rights requiring that certain steps,*  
17 *such as a hearing, be followed before a person's "life, liberty, or property" can be*  
18 *taken away. The amendment's Equal Protection Clause requires states to provide*  
19 *equal protection under the law to all people within their jurisdictions* [Reference  
20 *Paragraph 4FF (Subsection 4FF.2 through 4FF.5)], and the Civil Rights Act of 1964,*  
21 *which outlines under Title VI, "[the prevention of] discrimination by government*  
22 *agencies that receive federal funding* [Reference Paragraph 4GG (Subsection 4GG.2  
23 *through 4GG.4)].*

24 **3.19** The Plaintiffs vehicle was illegally searched without consent and the Plaintiff's  
25 property was illegally seized without reason or probable cause by Defendants,  
Washington State Patrol Troopers Nicholas Casto, Robert Howson, Christopher Noll,  
James Meldrum, Ryan Durbin and Steven Jones along with Washington State Patrol  
Sergeant Tom Martin, who did not prior to the search and seizure, receive a consent to  
Search in direct violations of Title 42 U.S.C. § 1983 [Reference Paragraph 4C  
(Subsection 4C.2 through 4C.3)], and RCW § 9.58.080 and RCW § 9.58.010, which  
indicates and clearly defines libel and defamation [Reference Paragraph 4F

(Subsection 4F.2 through 4F.3)], and RCW § 9A.46.020 and RCW § 9A.46.010 which defines harassment [Reference Paragraph 4G (Subsection 4G.2 through 4G.3)], and RCW § 9.62.010, which defines malicious prosecution [Reference Paragraph 4H (Subsection 4H.2)], and RCW § 10.79.040, which defines search without warrant unlawful [Reference Paragraph 4I (Subsection 4I.2 through 4I.3)], and RCW § 9.91.010, which defines the denial of civil rights [Reference Paragraph 4J (Subsection 4J.2 through 4J.3)], and RCW § 10.31.100, which *“defines arrest without warrant, indicating that ‘a police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer’*” [Reference Paragraph 4K (Subsection 4K.2 through 4K.3)], and RCW § 9A.48.070, which defines malicious mischief in the first degree [Reference Paragraph 4L (Subsection 4L.2)], and RCW § 9A.36.011, which defines assault in the first degree [Reference Paragraph 4M (Subsection 4M.2 through 4M.3)], and RCW § 9A.36.021, which defines assault in the second degree [Reference Paragraph 4N (Subsection 4N.2 through 4N.3)], and RCW § 9A.36.050, which defines reckless endangerment [Reference Paragraph 4O (Subsection 4O.2)], and RCW § 9A.36.070, which defines coercion [Reference Paragraph 4P (Subsection 4P.2 through 4P.3)], and RCW § 9A.36.080, which defines malicious harassment [Reference Paragraph 4Q (Subsection 4Q.2)], and RCW § 9A.40.020, which defines kidnapping in the first degree [Reference Paragraph 4R (Subsection 4R.2 through 4R.3)], and RCW § 9A.40.040, which defines unlawful imprisonment [Reference Paragraph 4S (Subsection 4S.2 through 4S.3)], and RCW § 9A.46.110, which defines stalking [Reference Paragraph 4T (Subsection 4T.2 through 4T.3)], and RCW § 9A.56.200 which defines robbery in the first degree [Reference Paragraph 4U (Subsection 4U.2 through 4U.3)], and RCW § 9A.72.020, which defines perjury in the first degree [Reference Paragraph 4V (Subsection 4V.2 through 4V.3)], and RCW § 9A.72.050, which defines perjury and false swearing [Reference Paragraph 4W (Subsection 4W.2 through 4W.3)], and RCW § 9A.72.150, which defines tampering with physical evidence [Reference Paragraph 4X (Subsection 4X.2 through 4X.3)], and RCW § 9A.80.010, which defines official misconduct [Reference Paragraph 4Y (Subsection 4Y.2 through 4Y.8)], and the

1 First Amendment, *in that the Supreme Court held that the Due Process Clause of the*  
2 *Fourteenth Amendment applies the First Amendment to each state, including any*  
3 *local government* [Reference Paragraph 4Z (Subsection 4Z.2 through 4Z.4)], and the  
4 Second Amendment as it *is applicable to the States and political subdivisions thereof*  
5 *through the Fourteenth Amendment* [Reference Paragraph 4AA (Subsection 4AA.2  
6 through 4AA.5)], and the Fourth Amendment as it *applies to the states by way of the*  
7 *Due Process Clause of the Fourteenth Amendment* [Reference Paragraph 4BB  
8 (Subsection 4BB.2 through 4BB.12)], and the Fifth Amendment in that *"the fifth*  
9 *amendment prevents individuals from being deprived of life, liberty, or property*  
10 *without "due process of law." Due process extends to all persons and corporate*  
11 *entities. The Fourteenth Amendment explicitly binds the states with due process*  
12 *protections, through selective incorporation* [Reference Paragraph 4CC (Subsection  
13 4CC.2 through 4CC.6)], and the Sixth Amendment in that *the Supreme Court has*  
14 *applied the protections of this amendment to the states through the Due Process*  
15 *Clause of the Fourteenth Amendment* [Reference Paragraph 4DD (Subsection 4DD.2  
16 through 4DD.5)], and the Eighth Amendment in that *in Louisiana ex rel. Francis v.*  
17 *Resweber 329 U.S. 459 (1947), the Supreme Court assumed that the Cruel and*  
18 *Unusual Punishments Clause applied to the states. In Robinson v. California, 370*  
19 *U.S. 660 (1962), the Court ruled that clause did apply to the states through the Due*  
20 *Process Clause of the Fourteenth Amendment* [Reference Paragraph 4EE (Subsection  
21 4EE.2 through 4EE.4)], and the Fourteenth Amendment in that *its Due Process Clause*  
22 *has been used to apply most of the Bill of Rights to the states. This clause has also*  
23 *been used to recognize: (1) substantive due process rights, such as parental and*  
24 *marriage rights; and (2) procedural due process rights requiring that certain steps,*  
25 *such as a hearing, be followed before a person's "life, liberty, or property" can be*  
*taken away. The amendment's Equal Protection Clause requires states to provide*  
*equal protection under the law to all people within their jurisdictions* [Reference  
Paragraph 4FF (Subsection 4FF.2 through 4FF.5)], and the Civil Rights Act of 1964,  
*which outlines under Title VI, "[the prevention off] discrimination by government*  
*agencies that receive federal funding* [Reference Paragraph 4GG (Subsection 4GG.2  
through 4GG.4)]. Following the illegal search and seizure, Defendants, Troopers Robert

1 Howson and Nicholas Casto requested that the Plaintiff sign a consent to search, which  
2 the Plaintiff refused. Trooper Nicholas Casto then indicated that the Plaintiff's signature  
3 was not required, and that the Plaintiff was "going to jail either way" and then Trooper  
4 Nicholas Casto proceeded to sign the consent to search himself in direct violations of  
5 RCW § 9A.72.020, which defines perjury in the first degree [Reference Paragraph 4V  
6 (Subsection 4V.2 through 4V.3)], and RCW § 9A.72.050, which defines perjury and  
7 false swearing [Reference Paragraph 4W (Subsection 4W.2 through 4W.3)], and  
8 RCW § 9A.72.150, which defines tampering with physical evidence [Reference  
9 Paragraph 4X (Subsection 4X.2 through 4X.3)], and RCW § 9A.80.010, which defines  
10 official misconduct [Reference Paragraph 4Y (Subsection 4Y.2 through 4Y.8)].

11 **3.20** Following the traffic stop on the date of November 3, 2007, the Plaintiff  
12 invoked his right to an attorney and his right to remain silent on three separate occasions,  
13 yet was denied his right to invoke, regardless of the fact that he had not been Mirandized,  
14 and that the Washington State Patrol was claiming that he was only being detained,  
15 although he had been handcuffed from the moment the traffic stop occurred for a total of  
16 seven hours, and had been told by the Washington State Patrol Troopers at the traffic  
17 stop that they "were only trying to figure out what was going on" and that the Plaintiff  
18 did not "need a lawyer if he had done nothing wrong". Defendant officers, and each of  
19 them, subjected the Plaintiff to such deprivations by malice and a reckless and conscious  
20 disregard of his rights in violations of Title 42 U.S.C. § 1983 [Reference Paragraph 4C  
21 (Subsection 4C.2 through 4C.3)], and RCW § 9.58.080 and RCW § 9.58.010, which  
22 indicates and clearly defines libel and defamation [Reference Paragraph 4F (Subsection  
23 4F.2 through 4F.3)], and RCW § 9A.46.020 and RCW § 9A.46.010 which defines  
24 harassment [Reference Paragraph 4G (Subsection 4G.2 through 4G.3)], and  
25 RCW § 9.62.010, which defines malicious prosecution [Reference Paragraph 4H  
(Subsection 4H.2)], and RCW § 10.79.040, which defines search without warrant  
unlawful [Reference Paragraph 4I (Subsection 4I.2 through 4I.3)], and RCW § 9.91.010,  
which defines the denial of civil rights [Reference Paragraph 4J (Subsection 4J.2 through  
4J.3)], and RCW § 10.31.100, which *"defines arrest without warrant, indicating that 'a  
police officer may arrest a person without a warrant for committing a misdemeanor or  
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2 which defines malicious mischief in the first degree [Reference Paragraph 4L  
3 (Subsection 4L.2)], and RCW § 9A.36.011, which defines assault in the first degree  
4 [Reference Paragraph 4M (Subsection 4M.2 through 4M.3)], and RCW § 9A.36.021,  
5 which defines assault in the second degree [Reference Paragraph 4N (Subsection 4N.2  
6 through 4N.3)], and RCW § 9A.36.050, which defines reckless endangerment  
7 [Reference Paragraph 4O (Subsection 4O.2)], and RCW § 9A.36.070, which defines  
8 coercion [Reference Paragraph 4P (Subsection 4P.2 through 4P.3)], and  
9 RCW § 9A.36.080, which defines malicious harassment [Reference Paragraph 4Q  
10 (Subsection 4Q.2)], and RCW § 9A.40.020, which defines kidnapping in the first degree  
11 [Reference Paragraph 4R (Subsection 4R.2 through 4R.3)], and RCW § 9A.40.040,  
12 which defines unlawful imprisonment [Reference Paragraph 4S (Subsection 4S.2  
13 through 4S.3)], and RCW § 9A.46.110, which defines stalking [Reference Paragraph 4T  
14 (Subsection 4T.2 through 4T.3)], and RCW § 9A.56.200 which defines robbery in the  
15 first degree [Reference Paragraph 4U (Subsection 4U.2 through 4U.3)], and  
16 RCW § 9A.72.020, which defines perjury in the first degree [Reference Paragraph 4V  
17 (Subsection 4V.2 through 4V.3)], and RCW § 9A.72.050, which defines perjury and  
18 false swearing [Reference Paragraph 4W (Subsection 4W.2 through 4W.3)], and  
19 RCW § 9A.72.150, which defines tampering with physical evidence [Reference  
20 Paragraph 4X (Subsection 4X.2 through 4X.3)], and RCW § 9A.80.010, which defines  
21 official misconduct [Reference Paragraph 4Y (Subsection 4Y.2 through 4Y.8)], and the  
22 First Amendment, *in that the Supreme Court held that the Due Process Clause of the*  
23 *Fourteenth Amendment applies the First Amendment to each state, including any*  
24 *local government* [Reference Paragraph 4Z (Subsection 4Z.2 through 4Z.4)], and the  
25 Second Amendment as it *is applicable to the States and political subdivisions thereof*  
*through the Fourteenth Amendment* [Reference Paragraph 4AA (Subsection 4AA.2  
through 4AA.5)], and the Fourth Amendment as it *applies to the states by way of the*  
*Due Process Clause of the Fourteenth Amendment* [Reference Paragraph 4BB  
(Subsection 4BB.2 through 4BB.12)], and the Fifth Amendment in that *"the fifth*  
*amendment prevents individuals from being deprived of life, liberty, or property*  
*without "due process of law." Due process extends to all persons and corporate*

1 **entities. The Fourteenth Amendment explicitly binds the states with due process**  
2 **protections, through selective incorporation** [Reference Paragraph 4CC (Subsection  
3 **4CC.2 through 4CC.6)], and the Sixth Amendment in that *the Supreme Court has***  
4 ***applied the protections of this amendment to the states through the Due Process***  
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8 *Unusual Punishments Clause applied to the states. In Robinson v. California, 370*  
9 *U.S. 660 (1962), the Court ruled that clause did apply to the states through the Due*  
10 *Process Clause of the Fourteenth Amendment* [Reference Paragraph 4EE (Subsection  
11 4EE.2 through 4EE.4)], and the Fourteenth Amendment in that *its Due Process Clause*  
12 *has been used to apply most of the Bill of Rights to the states. This clause has also*  
13 *been used to recognize: (1) substantive due process rights, such as parental and*  
14 *marriage rights; and (2) procedural due process rights requiring that certain steps,*  
15 *such as a hearing, be followed before a person's "life, liberty, or property" can be*  
16 *taken away. The amendment's Equal Protection Clause requires states to provide*  
17 *equal protection under the law to all people within their jurisdictions* [Reference  
18 Paragraph 4FF (Subsection 4FF.2 through 4FF.5)], and the Civil Rights Act of 1964,  
19 *which outlines under Title VI, "[the prevention of] discrimination by government*  
20 *agencies that receive federal funding* [Reference Paragraph 4GG (Subsection 4GG.2  
21 through 4GG.4)]. As a matter of additional record, Defendants, Sergeant Olsen and  
22 Sergeant Ramirez failed to provide narrative of documentation to show that they were  
23 involved in the incident and present at the scene following the initial arrest in violations  
24 of RCW § 9A.36.070, which defines coercion [Reference Paragraph 4P (Subsection  
25 4P.2 through 4P.3)], and RCW § 9A.36.080, which defines malicious harassment  
[Reference Paragraph 4Q (Subsection 4Q.2)], and RCW § 9A.46.110, which defines  
stalking [Reference Paragraph 4T (Subsection 4T.2 through 4T.3)], which defines  
official misconduct [Reference Paragraph 4Y (Subsection 4Y.2 through 4Y.8)].  
Additionally, Defendant, Trooper Christopher Noll's dash camera footage was tampered  
with following the traffic stop in violation of RCW § 9A.72.150, which defines  
tampering with physical evidence [Reference Paragraph 4X (Subsection 4X.2 through

4X.3)].

1       **3.21** The Plaintiff was traveling on Southbound Interstate-5 on the date of November  
2       3, 2007, on his way to Onalaska to attend a course at the Firearms Academy of Seattle,  
3       Inc., a course to which the Plaintiff had received a written invitation, which was  
4       confirmed and corroborated by the Washington State Patrol with the documentation at  
5       the traffic stop produced by the Plaintiff, documentation of which the Washington State  
6       Patrol and the Defendant officers Nicholas Casto, Robert Howson, Christopher Noll,  
7       James Meldrum, Ryan Durbin and Steven Jones along with Washington State Patrol  
8       Sergeant Tom Martin disregarded without cause or reason. Additionally, the Plaintiff  
9       was in possession of a State of Washington Concealed Pistol License, and also possessed  
10      a State of New Hampshire Concealed Pistol License.

11      **3.22** On the date of November 5, 2007, the Washington State Patrol released a highly  
12      biased and defamatory press release containing the Plaintiff's personal information. This  
13      press release was released to KOMO, KIRO, KING, and The Tacoma News Tribune.  
14      Interviews were also given by Trooper Kessler and Detective Gunderman, who  
15      continued to allege the unproven theories subsequently concocted, following the traffic  
16      stop on the date of November 3, 2007. This story was aired by all four news media  
17      outlets and printed in The Tacoma News Tribune, in violations of Title 42 U.S.C. § 1983  
18      [Reference Paragraph 4C (Subsection 4C.2 through 4C.3)], and RCW § 9.58.080 and  
19      RCW § 9.58.010, which indicates and clearly defines libel and defamation [Reference  
20      Paragraph 4F (Subsection 4F.2 through 4F.3)], and RCW § 9A.46.020 and  
21      RCW § 9A.46.010 which defines harassment [Reference Paragraph 4G (Subsection 4G.2  
22      through 4G.3)], and RCW § 9.62.010, which defines malicious prosecution [Reference  
23      Paragraph 4H (Subsection 4H.2)], and RCW § 9.91.010, which defines the denial of civil  
24      rights [Reference Paragraph 4J (Subsection 4J.2 through 4J.3)], and RCW § 9A.36.070,  
25      which defines coercion [Reference Paragraph 4P (Subsection 4P.2 through 4P.3)], and  
RCW § 9A.36.080, which defines malicious harassment [Reference Paragraph 4Q  
(Subsection 4Q.2)], which defines perjury in the first degree [Reference Paragraph 4V  
(Subsection 4V.2 through 4V.3)], and RCW § 9A.72.050, which defines perjury and  
false swearing [Reference Paragraph 4W (Subsection 4W.2 through 4W.3)], and  
RCW § 9A.80.010, which defines official misconduct [Reference Paragraph 4Y

(Subsection 4Y.2 through 4Y.8)], and the First Amendment, *in that the Supreme Court held that the Due Process Clause of the Fourteenth Amendment applies the First Amendment to each state, including any local government* [Reference Paragraph 4Z (Subsection 4Z.2 through 4Z.4)], and the Second Amendment as it *is applicable to the States and political subdivisions thereof through the Fourteenth Amendment* [Reference Paragraph 4AA (Subsection 4AA.2 through 4AA.5)], and the Fourth Amendment as it *applies to the states by way of the Due Process Clause of the Fourteenth Amendment* [Reference Paragraph 4BB (Subsection 4BB.2 through 4BB.12)], and the Fifth Amendment in that *"the fifth amendment prevents individuals from being deprived of life, liberty, or property without "due process of law." Due process extends to all persons and corporate entities. The Fourteenth Amendment explicitly binds the states with due process protections, through selective incorporation* [Reference Paragraph 4CC (Subsection 4CC.2 through 4CC.6)], and the Sixth Amendment in that *the Supreme Court has applied the protections of this amendment to the states through the Due Process Clause of the Fourteenth Amendment* [Reference Paragraph 4DD (Subsection 4DD.2 through 4DD.5)], and the Eighth Amendment in that *in Louisiana ex rel. Francis v. Resweber 329 U.S. 459 (1947), the Supreme Court assumed that the Cruel and Unusual Punishments Clause applied to the states. In Robinson v. California, 370 U.S. 660 (1962), the Court ruled that clause did apply to the states through the Due Process Clause of the Fourteenth Amendment* [Reference Paragraph 4EE (Subsection 4EE.2 through 4EE.4)], and the Fourteenth Amendment in that *its Due Process Clause has been used to apply most of the Bill of Rights to the states. This clause has also been used to recognize: (1) substantive due process rights, such as parental and marriage rights; and (2) procedural due process rights requiring that certain steps, such as a hearing, be followed before a person's "life, liberty, or property" can be taken away. The amendment's Equal Protection Clause requires states to provide equal protection under the law to all people within their jurisdictions* [Reference Paragraph 4FF (Subsection 4FF.2 through 4FF.5)], and the Civil Rights Act of 1964, which outlines under Title VI, *"[the prevention of] discrimination by government agencies that receive federal funding* [Reference Paragraph 4GG (Subsection 4GG.2 through 4GG.4)].

1       **3.23** The Plaintiff was severely injured during the traffic stop. The Plaintiff, Mr.  
2       Friedmann suffered injuries to his wrists and to the rotators of both shoulders as a result  
3       of being handcuffed for a time span exceeding 7 hours, which have been corroborated  
4       and substantiated by medical x-rays, medical records, and hospital visits, beginning on  
5       the date of November 3, 2007. The Plaintiff was also forced to undergo surgery in both  
6       hands in order to relieve pain relating to the 7 hours of detention which had caused the  
7       tendons in the Plaintiff's hand to swell to excruciating levels of pain, these two surgeries  
8       amounting to over \$5,000.00. In addition the Plaintiff was diagnosed with severe Post  
9       Traumatic Stress Disorder, directly attributable to the incident of November 3, 2007, and  
10      has been under constant care and treatment for this disorder since that time, yet has  
11      suffered sleeplessness, anxiety, high stress, fatigue, lack of focus, sexual dysfunction, all  
12      which have yet to be relieved.

13      **3.24** Following the events which took place on the date of November 3, 2007, the  
14      Plaintiff's property was held without cause or reason until the date of July 27, 2008, at  
15      which time the Plaintiff's property was returned to him with more than \$3,500.00 in  
16      damages.

17      **3.25** The Plaintiff additionally suffered the loss of school funding, due to the fact that  
18      the Washington State Patrol seized the Plaintiff's Arabic textbook as evidence. The  
19      Plaintiff was forced to change colleges in order to continue his education. The Plaintiff  
20      was further scarred by the attempt made by the Washington State Patrol to label him as a  
21      terrorist for simply studying Arabic for a pending commission with the United States  
22      Army. The incident further resulted in the Plaintiff being disqualified from his selection  
23      with the Department of Homeland Security, based upon the presumption of Criminal  
24      Conduct.

25      **3.26** The Washington State Patrol, following the illegal search and seizure of the  
26      Plaintiff's vehicle and property, and in violation of the laws of the State of Washington  
27      which indicate that only firearms directly involved in a crime can be seized, held three  
28      firearms belonging to the Plaintiff, from the date of November 3, 2007, through the date  
29      of July 28, 2008. The Washington State Patrol in direct violation of Washington State  
30      Patrol Regulations, which indicate that only firearms directly involved in a crime are  
31      subject to testing at the Washington State Patrol Crime Lab, submitted all three of the

1 Plaintiffs firearms to the Washington State Patrol Crime Lab, where the three firearms,  
2 legally owned and legally carried by the Plaintiff on the date of November 3, 2007, were  
3 test fired by the Washington State Crime Lab technician Defendant Terry Franklin, after  
4 which Terry Franklin then engraved all three firearms, defacing all three firearms to a  
5 loss of value of \$3,500.00.

6 **3.28** On the date of July 27, 2008, following the above losses, the Plaintiff, Mr.  
7 Friedmann received word from the Pierce County Prosecuting Attorney that the case  
8 against the Plaintiff had been closed and dismissed. This occurred without the Plaintiff  
9 ever being allowed proper due process in order to exonerate or provide the facts of the  
10 incident in order to relieve the damages suffered due to the actions of the Washington  
11 State Patrol who provided false and misleading statements to a legal proceeding as well  
12 as the news media and media outlets, defaming, slandering and libeling the Plaintiff's  
13 name.

14 **3.29** Defendant, Trooper Sam Ramirez accosted Plaintiff Friedmann in the lobby of  
15 the Washington State Patrol Headquarters, following the incident of November 3, 2007,  
16 and forcibly placed the Plaintiff against the wall and pressed the muzzle of his firearm  
17 into the back of the Plaintiff's head, indicating that "if you move I will blow your brains  
18 out, you are already on a short leash around here".

19 **3.30** The Washington State Patrol additionally provided false and misleading  
20 information to multiple employers which resulted in the Plaintiff further still being  
21 denied employment, including the Department of Homeland Security, the United States  
22 Army, and Bullseye Gun Range in Tacoma. The false arrest additionally remained on the  
23 Plaintiff's record even after the fact that the case was dismissed and closed, and  
24 regardless of the fact that no crime had occurred, the Plaintiff had to live with the arrest  
25 on his record for more than two years.

**3.31** On the date of November 3, 2007, the Washington State Patrol acted upon a false  
report made by Randy Flores. The Washington State patrol Troopers involved in this  
incident did not verify that the incident had in fact occurred, nor did they witness the  
events alleged. While the Washington State Patrol may have had a reason to initiate a  
traffic stop in order to make contact with the Plaintiff, in order to determine whether or

1 not the allegations made were in fact true, all other actions following the traffic stop were  
2 unwarranted, without cause or reason, and criminal in nature and in violation of the  
3 Plaintiff's Constitutional Rights.

#### 4 **IV. LIABILITY AND DAMAGES**

##### 5 **A. FIRST CAUSE OF ACTION: FALSE ARREST**

6 **4A.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
7 herein as if set forth in full.

8 **4A.2.** Defendants Nicholas Casto, Robert Howson, Christopher Noll, James  
9 Meldrum, and Tom Martin falsely and wrongfully arrested Plaintiff Friedmann and  
10 transported him to Washington State Patrol Headquarters in Tacoma, from his  
11 automobile, where Detective Gunderman and Sergeant Olsen charged Plaintiff  
12 Friedmann and Christopher Noll transported Plaintiff Friedmann to jail against his will,  
13 following seven hours of forced detention in restraints. The conduct of Defendants and  
14 each of them in initiating the Plaintiff's detention and arrest as described above  
15 constituted a false arrest and a false imprisonment of the Plaintiff. By reason of the  
16 above, the Plaintiff's reputation has been brought into public scandal, disrepute and  
17 disgrace, and his ability to function properly has been greatly hindered, causing him to  
18 suffer emotional trauma and harm.

19 **4A.3.** The actions of all Defendant officers in detaining, interrogating and  
20 arresting the Plaintiff without legal cause deprived him of his Fourth Amendment rights  
21 to be free from deprivations of liberty without due process. Defendant officers, and each  
22 of them, subjected the Plaintiff to such deprivations by malice and a reckless and  
23 conscious disregard of his rights. As a direct and proximate result of the wrongful and  
24 false arrest, Plaintiff Michael Friedmann sustained loss of income, loss of employment,  
25 loss of prospective employment, loss of college funding, the cost of relocation, loss of  
freedom, loss of the lawful use of his firearms, substantial monetary loss from medical  
treatment, pain, suffering and disability as well as severe emotional distress and anxiety,  
and was diagnosed with severe Post Traumatic Stress Disorder, all of which has resulted  
in general damages for pain and suffering in an amount to be proven at time of trial.

**B. SECOND CAUSE OF ACTION: FALSE IMPRISONMENT**

**4B.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them herein as if set forth in full.

**4B.2.** This arrest and imprisonment of the Plaintiff by said Defendants was done deliberately, with malice and oppression, and in conscious disregard of the Plaintiff's rights. As a direct and proximate result of Troopers Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, and Sergeant Tom Martin and Tom Olsen, and Detective Juli Gunderman's false arrest and falsification of Mr. Friedmann's arrest report, Mr. Friedmann was wrongfully incarcerated, sustained loss of income, loss of employment, loss of prospective employment, loss of college funding, the cost of relocation, loss of freedom, loss of the lawful use of his firearms, substantial monetary loss from medical treatment, pain, suffering and disability as well as severe emotional distress and anxiety, and was diagnosed with severe Post Traumatic Stress Disorder, all of which has resulted in general damages for pain and suffering in an amount to be proven at time of trial.

**C. THIRD CAUSE OF ACTION: VIOLATION OF TITLE 42 U.S.C. § 1983**

**4C.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them herein as if set forth in full.

**4C.2.** The Civil Rights Act of 1866, 42 U.S.C. § 1981 (a), provides in part: "All persons within the jurisdiction of the United States shall have the same right in every State...to the full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens..." The following provisions of Washington law constitute "laws and proceedings for the security of person and property" within the meaning of 42 U.S.C. § 1981 (a) which are enjoyed by citizens: (a) Wash. Const., Art. I, § 24, which provides: "The right of the individual citizen to (b) bear arms in defense of himself, or the state, shall not be impaired..." (b) RCW § 9.41.070(1), which provides for issuance of a license to any person "to carry a pistol concealed on his or her person within this state for five years from date of issue, for the purposes of protection or while engaged in business, sport, or while traveling..." (c) such

1 other laws which authorize or do not prohibit the possession of firearms. The Defendants  
2 aforementioned have denied the Plaintiff through their actions on the date of  
3 November 3, 2007, the full and equal benefit of all of the above laws and proceedings  
4 for the security of person and property as is enjoyed by citizens.

5 **4C.3.** Defendant's Nicholas Casto, Robert Howson, Christopher Noll, James  
6 Meldrum, and Sergeant Tom Martin and Tom Olsen, and Detective Juli Gunderman  
7 wrongfully deprived Plaintiff Michael Friedmann of his federally guaranteed  
8 Constitutional and other legal rights in violation of 42 U.S.C. § 1983 by actions,  
9 including, but not limited to: making an arrest which was wrongful; wrongfully  
10 transporting Plaintiff from his automobile to jail and detaining Plaintiff; and falsifying  
11 his arrest record. The actions of all Defendant officers in detaining, interrogating and  
12 arresting the Plaintiff without legal cause deprived him of his Fourth Amendment rights  
13 to be free from deprivations of liberty without due process. The actions of all Defendant  
14 officers in detaining, arresting, and searching the Plaintiff deprived him of his  
15 Constitutional right to be free from deprivations of liberty without due process of law  
16 and freedom from summary punishment. Defendant officers, and each of them,  
17 subjected the Plaintiff to such deprivations by malice and a reckless and conscious  
18 disregard of his rights. As a direct and proximate result of Troopers Nicholas Casto,  
19 Robert Howson, Christopher Noll, James Meldrum, and Sergeant Tom Martin and Tom  
20 Olsen, and Detective Juli Gunderman's actions, causing a deprivation of Plaintiff's  
21 federally guaranteed Constitutional and other legal rights, Plaintiff sustained injuries  
22 thereby resulting in loss of freedom, substantial fees, extensive treatment, loss of  
23 income, loss of employment, loss of prospective employment, loss of college funding,  
24 the cost of relocation, loss of use of his firearms, mental pain, suffering, and disability  
25 as well as emotional distress and anxiety, and was diagnosed with severe Post  
Traumatic Stress Disorder, all of which has resulted in general damages for pain and  
suffering in an amount to be proven at time of trial.

**D. FOURTH CAUSE OF ACTION: NEGLIGENT SUPERVISION AND  
HIRING**

**4D.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them

herein as if set forth in full.

1  
2       **4D.2.** Plaintiff, upon information and belief, alleges that Defendant Washington  
3 State Patrol failed to adequately conduct a background check prior to hiring Defendants  
4 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin, Tom  
5 Olsen, Sam Ramirez and Juli Gunderman. After said hiring, Plaintiff believes Defendants  
6 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin, Tom  
7 Olsen, Sam Ramirez and Juli Gunderman conducted themselves in an inappropriate  
8 fashion in the past, violating standards promulgated by their employer, the Washington  
9 State Patrol, and that the Washington State Patrol knew or should have known of  
10 Defendants Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom  
11 Martin, Tom Olsen, Sam Ramirez and Juli Gunderman's continued unlawful conduct.  
12 Instead, the flagrant abuses committed by Troopers Nicholas Casto, Robert Howson,  
13 Christopher Noll, James Meldrum, and Sergeants Tom Martin, Tom Olsen and Sam  
14 Ramirez and Detective Juli Gunderman were discovered only in the records obtained  
15 through the discovery of public records, which indicate a decade long pattern of criminal  
16 conduct, misconduct, falsifying of records and reports, destruction of evidence, evidence  
17 tampering, coercion, intimidation, assault and battery, threats of bodily harm, abuse of  
18 power, to name only a few.

19       **4D.3.** Plaintiff further alleges that Defendant Washington State Patrol failed to  
20 reprimand, sanction, or in any way, appropriately supervise and rectify the unlawful  
21 conduct of Defendants Nicholas Casto, Robert Howson, Christopher Noll, James  
22 Meldrum, Tom Martin, Tom Olsen, Sam Ramirez and Juli Gunderman. Had Defendant  
23 Washington State Patrol properly supervised Defendants Nicholas Casto, Robert  
24 Howson, Christopher Noll, James Meldrum, Tom Martin, Tom Olsen, Sam Ramirez and  
25 Juli Gunderman, it would have determined that Defendants Nicholas Casto, Robert  
Howson, Christopher Noll, James Meldrum, Tom Martin, Tom Olsen, Sam Ramirez and  
Juli Gunderman were unsuitable for patrol, supervisory and investigative work and  
should have taken steps to rectify their unlawful conduct, including, but not limited to,  
discharging them from the Washington State Patrol. Had Defendant Washington State  
Patrol not negligently supervised and retained Defendants Nicholas Casto, Robert  
Howson, Christopher Noll, James Meldrum, Tom Martin, Tom Olsen, Sam Ramirez and

1 Juli Gunderman, the Plaintiff would not have suffered false arrest and imprisonment  
2 resulting in substantial loss of income, fees, and treatment, loss of freedom, loss of  
3 employment, loss of prospective employment, loss of college funding, the cost of  
4 relocation, loss of use of his firearms, mental pain, suffering, and disability as well as  
5 emotional distress and anxiety, and was diagnosed with severe Post Traumatic Stress  
6 Disorder, all of which has resulted in general damages for pain and suffering in an  
7 amount to be proven at time of trial.

8 **E. FIFTH CAUSE OF ACTION: NEGLIGENT INFLICTION OF**  
9 **EMOTIONAL DISTRESS**

10 **4E.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
11 herein as if set forth in full.

12 **4E.2.** Defendants Washington State Patrol and Troopers Nicholas Casto, Robert  
13 Howson, Christopher Noll, and James Meldrum, and Sergeants Tom Martin, Tom Olsen,  
14 and Sam Ramirez and Detective Juli Gunderman knew, or should have known, that the  
15 actions allowed by the Washington State Patrol performed by Troopers Nicholas Casto,  
16 Robert Howson, Christopher Noll, and James Meldrum, and Sergeants Tom Martin, Tom  
17 Olsen, and Sam Ramirez and Detective Juli Gunderman would cause significant  
18 emotional distress to Plaintiff Friedmann and his immediate family, and that the  
19 embarrassment, humiliation and shame of Mr. Friedmann's false arrest, incarceration,  
20 fees, and loss of use of his firearms, loss of employment, loss of prospective  
21 employment, physical injuries, loss of college funding, and forced relocation, would  
22 cause damages in the form of mental pain, suffering, and disability as well as emotional  
23 distress and anxiety, in an amount to be proven at time of trial.

24 **F. SIXTH CAUSE OF ACTION: DEFAMATION, LIBEL, AND SLANDER**

25 **4F.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
herein as if set forth in full.

**4F.2.** Defendants Washington State Patrol and Troopers Nicholas Casto, Robert  
Howson, Christopher Noll, and James Meldrum, and Sergeants Tom Martin, Tom Olsen,  
and Sam Ramirez and Detective Juli Gunderman all prepared affidavits, narratives, and

1 reports which were falsified, untrue and misleading, these statements were then utilized  
2 and further perverted by Detective Juli Gunderman, who then prepared a press release  
3 which she then knowingly and willingly released to the news media, including KOMO,  
4 KING, KIRO and The Tacoma News Tribune, alleging actions, instances, occasions,  
5 incidents, scenarios, facts and revelations which never at any time occurred.

6 **4F.3.** In releasing a falsified representation of the actual facts, and in releasing  
7 the name of the Plaintiff, under allegations of actions which were not substantiated by  
8 evidence, nor corroborated by any witnesses or actions, let alone the violations of the  
9 laws of the State of Washington, the Defendant Washington State Patrol, and Defendants  
10 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin and  
11 Juli Gunderman all perpetrated the act of defamation, libel and slander, under  
12 RCW § 9.58.080 and RCW § 9.58.010, which indicates and “clearly defines libel as,  
13 ‘every malicious publication by writing, printing, picture, effigy, sign, radio broadcasting  
14 or which shall in any manner transmit the human voice or reproduce the same from  
15 records or other appliances or means, which shall tend (1) to expose any living person to  
16 hatred, contempt, ridicule, or obloquy, or to deprive him of the benefit of public  
17 confidence or social intercourse, or (3) to injure any person, corporation or association  
18 of persons in his or their business or occupation, shall be libel’. Every person who  
19 publishes a libel shall be guilty of a gross misdemeanor” to which such actions caused  
20 significant emotional distress to Plaintiff Friedmann and his immediate family, deprived  
21 the Plaintiff of the benefit of public confidence and social intercourse, and that the  
22 embarrassment, humiliation and shame of Mr. Friedmann’s false arrest, incarceration,  
23 fees, and loss of use of his firearms, loss of employment, loss of prospective  
24 employment, physical injuries, loss of college funding, and forced relocation, were  
25 further aggravated by defamation causing damages in the form of mental pain, suffering,  
and disability as well as emotional distress and anxiety, in an amount to be proven at  
time of trial.

**G. SEVENTH CAUSE OF ACTION: HARASSMENT**

**4G.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
herein as if set forth in full.

1           **4G.2.** The actions of the Defendant, Washington State Patrol, and Defendants  
2 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin and  
3 Juli Gunderman constitute harassment under RCW § 9A.46.020 and RCW § 9A.46.010,  
4 in which the Plaintiff was targeted on the date of November 3, 2007, by several  
5 Washington State Patrol Troopers of whom the Plaintiff had previously encountered.  
6 The Plaintiff, through the not for profit corporation known as the Washington State  
7 Police Investigations Commission, has since the year 2000, filed complaints of  
8 harassment and misconduct against Washington State Patrol Troopers Nicholas Casto,  
9 Robert Howson, John Hazuka, "John Doe" Clevenger, as well as Sergeant Olsen and  
10 Sergeant Ramirez. Coincidentally, these were the same individuals who initiated the  
11 traffic stop on the date of November 3, 2007, or were involved in the subsequent actions  
12 directly attributing to the injuries and damages suffered by the Plaintiff.

13           **4G.3.** The Defendant Washington State Patrol, and Defendants Nicholas Casto,  
14 Robert Howson, Christopher Noll, James Meldrum, Tom Martin and Juli Gunderman all  
15 perpetrated the act of harassment, which is clearly defined under RCW § 9A.46.020,  
16 "as '(1) a person is guilty of harassment if, (a) without lawful authority, the person  
17 knowingly threatens, (i) to cause bodily injury immediately or in the future to the person  
18 threatened or to any other person; of (iii) to subject the person threatened or any other  
19 person to physical confinement or restraint; or (iv) maliciously to do any other act which  
20 is intended to substantially harm the person threatened or another with respect to his or  
21 her physical or mental health or safety; and (b) the person by words or conduct places  
22 the person threatened in reasonable fear that the threat will be carried out.'" It is clearly  
23 defined that "(2)(a) a person who harasses another is guilty of a gross misdemeanor" and  
24 the actions by the Defendants, constituting harassment under RCW § 9A.46.020, caused  
25 significant emotional distress to Plaintiff Friedmann and his immediate family, and that  
the embarrassment, humiliation and shame of Mr. Friedmann's false arrest,  
incarceration, fees, and loss of use of his firearms, loss of employment, loss of  
prospective employment, physical injuries, loss of college funding, and forced  
relocation, were further aggravated by harassment causing damages in the form of  
mental pain, suffering, and disability as well as emotional distress and anxiety, in an  
amount to be proven at time of trial.

1                   **H.      EIGHTH CAUSE OF ACTION: MALICIOUS PROSECUTION**

2                   **4H.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
3 herein as if set forth in full.

4                   **4H.2.** The actions of the Defendant, Washington State Patrol, and Defendants  
5 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin and  
6 Juli Gunderman constitute malicious prosecution under RCW § 9.62.010, which “defines  
7 malicious prosecution as ‘every person who shall, maliciously and without probable  
8 cause therefore, cause or attempt to cause another to be arrested or proceeded against for  
9 any crime of which he or she is innocent, (2) if such crime be a gross misdemeanor or  
10 misdemeanor, shall be guilty of a misdemeanor.’” The Defendant Washington State  
11 Patrol, and Defendants Nicholas Casto, Robert Howson, Christopher Noll, James  
12 Meldrum, Tom Martin and Juli Gunderman all perpetrated the act of malicious  
13 prosecution, to which the Defendants had no evidence to support their egregious  
14 allegations, to which the Defendant Juli Gunderman admitted that “everything was  
15 circumstantial” and that “nothing that [Friedmann] had done was illegal” and that  
16 “nothing that [Friedmann] had was illegal” substantiates the fact that no crime had  
17 occurred, and that despite the fact that no crime, and no evidence of a crime existed, the  
18 Defendant Washington State Patrol, and Defendants Nicholas Casto, Robert Howson,  
19 Christopher Noll, James Meldrum, Tom Martin and Juli Gunderman proceeded in a  
20 malicious and intentionally damaging fashion to detain, arrest, restrain, question, harass,  
21 interrogate, book, and charge the Plaintiff Friedmann with a crime which he had not  
22 committed, nor perpetrated, and to which no evidence existed substantiating any  
23 involvement of the Plaintiff to even the initial complaint and allegation of speeding  
24 made by alleged witness Randy Flores, to which these actions caused significant  
25 emotional distress to Plaintiff Friedmann and his immediate family, and that the  
embarrassment, humiliation and shame of Mr. Friedmann’s false arrest, incarceration,  
fees, and loss of use of his firearms, loss of employment, loss of prospective  
employment, physical injuries, loss of college funding, and forced relocation, were  
further aggravated by the act of malicious prosecution causing damages in the form of  
mental pain, suffering, and disability as well as emotional distress and anxiety, in an

1 amount to be proven at time of trial.

2 **I. NINTH CAUSE OF ACTION: SEARCH WITHOUT WARRANT**

3 **4I.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
4 herein as if set forth in full.

5 **4I.2.** The actions of the Defendant, Washington State Patrol, and Defendants  
6 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin and  
7 Juli Gunderman constitute a violation of RCW § 10.79.040, which “defines search  
8 without warrant unlawful, ‘(1) it shall be unlawful for any policeman or other peace  
9 officer to enter and search any private dwelling [automobile] house or place of residence  
10 without the authority of a search warrant issued upon a complaint as by law provided,  
11 (2) any policeman or other peace officer violating the provisions of this section is guilty  
12 of a gross misdemeanor.” The Defendant Washington State Patrol, and Defendants  
13 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, and Tom Martin all  
14 perpetrated the act of search without warrant, and illegal search and seizure, immediately  
15 following the traffic stop initiated on the date of November 3, 2007, to which the  
16 Defendants had no evidence to support their egregious allegations, no probable cause,  
17 and no legal basis in which to act in the fashion in which the acted against Plaintiff  
18 Friedmann, considering further the fact that the traffic stop itself was initiated based  
19 solely upon a third party, hearsay statement, alleging speeding, and considering the fact  
20 that this allegation was never supported by evidence or witnessed by any Washington  
21 State Trooper, the actual traffic stop itself was illegal, and following the traffic stop, all  
22 actions committed by the Defendants Nicholas Casto, Robert Howson, Christopher Noll,  
23 James Meldrum, and Tom Martin were illegal, and constituted a violation of  
24 RCW § 10.79.040.

25 **4I.3.** Upon later determination, and corroboration by the Plaintiff, through  
documentation and explanation, substantiating the fact that no crime had occurred, and  
that despite the fact that no crime, and no evidence of a crime existed, the Defendant  
Washington State Patrol, and Defendants Nicholas Casto, Robert Howson, Christopher  
Noll, James Meldrum, Tom Martin and Juli Gunderman proceeded in a malicious and  
intentionally damaging fashion to detain, arrest, restrain, question, harass, search and

1 seize, interrogate, book, and charge the Plaintiff Friedmann with a crime which he had  
2 not committed, nor perpetrated, and to which no evidence existed substantiating any  
3 involvement of the Plaintiff to even the initial complaint and allegation of speeding made  
4 by alleged witness Randy Flores, to which these actions caused significant emotional  
5 distress to Plaintiff Friedmann and his immediate family, and that the embarrassment,  
6 humiliation and shame of Mr. Friedmann's false arrest, incarceration, fees, and loss of  
7 use of his firearms, loss of employment, loss of prospective employment, physical  
8 injuries, loss of college funding, and forced relocation, were further aggravated by the  
9 act of search without warrant causing damages in the form of mental pain, suffering, and  
10 disability as well as emotional distress and anxiety, in an amount to be proven at time of  
11 trial.

12 **J. TENTH CAUSE OF ACTION: DENIAL OF CIVIL RIGHTS**

13 **4J.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
14 herein as if set forth in full.

15 **4J.2.** The actions of Defendant officers and each of them in watching their  
16 fellow officers use unreasonable force against the Plaintiff, without attempting to stop it,  
17 deprived the Plaintiff of his Constitutional right to be free from the use of excessive  
18 force and freedom from summary punishment. Defendants, and each of them, subjected  
19 the Plaintiff to such deprivations by malice and/or reckless and conscious disregard of  
20 his rights. The actions of the Defendant, Washington State Patrol, and Defendants  
21 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin and  
22 Juli Gunderman constitute a violation of RCW § 9.91.010, which "defines the denial of  
23 civil rights, (b) deny is hereby defined to include any act which directly or indirectly, or  
24 by subterfuge, by a person or his agent or employee, results or is intended or calculated  
25 to result in whole or in part in any discrimination, distinction, restriction, or unequal  
treatment, (2)...shall be guilty of a misdemeanor." The Defendant Washington State  
Patrol, and Defendants Nicholas Casto, Robert Howson, Christopher Noll, James  
Meldrum, and Tom Martin all perpetrated the act of denying the Plaintiff his civil rights,  
through the acts of search without warrant, and illegal search and seizure, unlawful  
detention and unlawful imprisonment, immediately following the traffic stop initiated on

1 the date of November 3, 2007, to which the Defendants had no evidence to support their  
2 egregious allegations, no probable cause, and no legal basis in which to act in the fashion  
3 in which the acted against Plaintiff Friedmann, considering further the fact that the traffic  
4 stop itself was initiated based solely upon a third party, hearsay statement, alleging  
5 speeding, and considering the fact that this allegation was never supported by evidence  
6 or witnessed by any Washington State Trooper, the actual traffic stop itself was illegal,  
7 and following the traffic stop, all actions committed by the Defendants Nicholas Casto,  
8 Robert Howson, Christopher Noll, James Meldrum, and Tom Martin were illegal, and  
9 constituted a violation of RCW § 9.91.010.

10 **4J.3.** Upon later determination, and corroboration by the Plaintiff, through  
11 documentation and explanation, substantiating the fact that no crime had occurred, and  
12 that despite the fact that no crime, and no evidence of a crime existed, the Defendant  
13 Washington State Patrol, and Defendants Nicholas Casto, Robert Howson, Christopher  
14 Noll, James Meldrum, Tom Martin and Juli Gunderman proceeded in a malicious and  
15 intentionally damaging fashion to detain, arrest, restrain, question, harass, search and  
16 seize, interrogate, book, and charge the Plaintiff Friedmann with a crime which he had  
17 not committed, nor perpetrated, and to which no evidence existed substantiating any  
18 involvement of the Plaintiff to even the initial complaint and allegation of speeding made  
19 by alleged witness Randy Flores, to which these actions caused significant emotional  
20 distress to Plaintiff Friedmann and his immediate family, and that the embarrassment,  
21 humiliation and shame of Mr. Friedmann's false arrest, incarceration, fees, and loss of  
22 use of his firearms, loss of employment, loss of prospective employment, physical  
23 injuries, loss of college funding, and forced relocation, were further aggravated by the  
24 act of denying the Plaintiff his civil rights in violation of RCW § 9.91.010 causing  
25 damages in the form of mental pain, suffering, and disability as well as emotional  
distress and anxiety, in an amount to be proven at time of trial.

**K. ELEVENTH CAUSE OF ACTION: ARREST WITHOUT WARRANT**

23 **4K.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
24 herein as if set forth in full.

25 **4K.2.** The actions of the Defendant, Washington State Patrol, and Defendants

1 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin and  
2 Juli Gunderman constitute a violation of RCW § 10.31.100, which “*defines arrest*  
3 *without warrant, indicating that ‘a police officer may arrest a person without a*  
4 *warrant for committing a misdemeanor or gross misdemeanor only when the offense is*  
5 *committed in the presence of the officer.’”* The Defendant Washington State Patrol, and  
6 Defendants Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, and  
7 Tom Martin all perpetrated the act of arrest without warrant against the Plaintiff in direct  
8 violation of RCW § 10.31.100, by acting absent of good faith and with malicious intent  
9 and/or malice, by further abusing their capacity as law enforcement officers, through the  
10 acts of search without warrant, and illegal search and seizure, unlawful detention and  
11 unlawful imprisonment, and arrest without warrant immediately following the traffic  
12 stop initiated on the date of November 3, 2007, to which the Defendants had no evidence  
13 to support their egregious allegations, no probable cause, and no legal basis in which to  
14 act in the fashion in which the acted against Plaintiff Friedmann, considering further the  
15 fact that the traffic stop itself was initiated based solely upon a third party, hearsay  
16 statement, alleging speeding, and considering the fact that this allegation was never  
17 supported by evidence or witnessed by any Washington State Trooper, the actual  
18 traffic stop itself was illegal, and following the traffic stop, all actions committed by the  
19 Defendants Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, and  
20 Tom Martin were illegal, and constituted a violation of RCW § 10.31.100.

21 4K.3. Upon later determination, and corroboration by the Plaintiff, through  
22 documentation and explanation, substantiating the fact that no crime had occurred, and  
23 that despite the fact that no crime, and no evidence of a crime existed, the Defendant  
24 Washington State Patrol, and Defendants Nicholas Casto, Robert Howson, Christopher  
25 Noll, James Meldrum, Tom Martin and Juli Gunderman proceeded in a malicious and  
intentionally damaging fashion to detain, arrest, restrain, question, harass, search and  
seize, interrogate, book, and charge the Plaintiff Friedmann with a crime which he had  
not committed, nor perpetrated, and to which no evidence existed substantiating any  
involvement of the Plaintiff to even the initial complaint and allegation of speeding  
made by alleged witness Randy Flores, to which these actions caused significant  
emotional distress to Plaintiff Friedmann and his immediate family, and that the

1 embarrassment, humiliation and shame of Mr. Friedmann's false arrest, incarceration,  
2 fees, and loss of use of his firearms, loss of employment, loss of prospective  
3 employment, physical injuries, loss of college funding, and forced relocation, were  
4 further aggravated by the act of arrest without warrant against the Plaintiff in violation  
5 of RCW § 10.31.100 causing damages in the form of mental pain, suffering, and  
6 disability as well as emotional distress and anxiety, in an amount to be proven at time  
7 of trial.

8 **L. TWELFTH CAUSE OF ACTION: MALICIOUS MISCHIEF IN THE**  
9 **FIRST DEGREE**

10 **4L.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
11 herein as if set forth in full.

12 **4L.2.** The actions of the Defendant, Washington State Patrol, and Defendants  
13 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin and  
14 Juli Gunderman constitute a violation of RCW § 9A.48.070, which defines "malicious  
15 mischief in the first degree, (1) a person is guilty of malicious mischief in the first  
16 degree if he knowingly and maliciously: (a) causes physical damage to the property of  
17 another in an amount exceeding one thousand five hundred dollars, (2) malicious  
18 mischief in the first degree is a class B felony." The Defendant Washington State Patrol,  
19 and Defendants Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum,  
20 Tom Martin, Steven Ostrander, Sean Hartsock, and Terry Franklin all perpetrated the act  
21 of malicious mischief against the Plaintiff and his personal property in direct violation  
22 of RCW § 9A.48.070, by maliciously damaging and defacing the property belonging to  
23 the Plaintiff to an exact amount of \$3,500.00, immediately following the traffic stop  
24 initiated on the date of November 3, 2007, to which the Defendants had no evidence to  
25 support their egregious allegations, no probable cause, and no legal basis in which to act  
in the fashion in which the acted against Plaintiff Friedmann, considering further the fact  
that the traffic stop itself was initiated based solely upon a third party, hearsay statement,  
alleging speeding, and considering the fact that this allegation was never supported by  
evidence or witnessed by any Washington State Trooper, the actual traffic stop itself  
was illegal, and following the traffic stop, all actions committed by the Defendants

1 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin, Sean  
2 Hartsock, Steven Ostrander, and Terry Franklin were illegal, and constituted a violation  
3 of RCW § 9A.48.070, to which these actions caused significant emotional distress to  
4 Plaintiff Friedmann and his immediate family, and that the embarrassment, humiliation  
5 and shame of Mr. Friedmann's false arrest, incarceration, fees, and loss of use of his  
6 firearms, loss of employment, loss of prospective employment, physical injuries, loss of  
7 college funding, and forced relocation, were further aggravated by the act of malicious  
8 mischief and the destruction of the Plaintiff's personal property in violation of RCW §  
9 9A.48.070 causing damages in the form of mental pain, suffering, and disability as well  
10 as emotional distress and anxiety, in an amount to be proven at time of trial.

11 **M. THIRTEENTH CAUSE OF ACTION: ASSAULT IN THE FIRST DEGREE**

12 **4M.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
13 herein as if set forth in full.

14 **4M.2.** Defendants and each of them committed acts toward the Plaintiff as  
15 described above which constitute an assault and battery upon the Plaintiff. All conduct  
16 described herein was nonconsensual, unjustified, unlawful and offenseve. As a direct and  
17 proximate result of the intentional acts of the Defendants and each of them as  
18 complained herein, the Plaintiff suffered and continues to suffer great and grievous  
19 physical pain and emotional anguish and distress. As a direct and proximate result of the  
20 acts of the Defendants and each of them, the Plaintiff sustained severe and continuing  
21 shock to his nervous system, mental anguish, mortification, humiliation, loss of good  
22 health and sleep, all to his damage according to proof at trial. The actions of the  
23 Defendant, Washington State Patrol, and Defendants Nicholas Casto, Robert Howson,  
24 Christopher Noll, James Meldrum, Tom Olsen and Sam Ramirez constitute a violation of  
25 RCW § 9A.36.011, which defines "assault in the first degree, (1) a person is guilty of  
assault in the first degree if he or she, with intent to inflict great bodily harm: (a) assaults  
another with a firearm or any deadly weapon or by any force or means likely to produce  
great bodily harm or death; or (c) assaults another and inflicts great bodily harm.  
(2) assault in the first degree is a class A felony." The Defendant Washington State  
Patrol, and Defendants Nicholas Casto, Robert Howson, Christopher Noll, James

1 Meldrum, Tom Olsen, Sam Ramirez and Tom Martin all perpetrated the act of assault  
2 in the first degree on two separate occasions against the Plaintiff in direct violation of  
3 RCW § 9A.36.011, by on the first occasion using firearms against the Plaintiff in a  
4 highly threatening manner to which great bodily harm was inflicted and to which death  
5 may have been inflicted, through which threats of additional bodily harm were made, in  
6 intimidating fashion, utilizing firearms and aggression, without cause or reason, and on a  
7 second occasion to which Defendant Sam Ramirez placed his firearm against the back  
8 of the Plaintiff's head indicating that death would definitively occur if the Plaintiff  
9 moved. Acting absent of good faith and with malicious intent and/or malice, by further  
10 abusing their capacity as law enforcement officers, through the acts of search without  
11 warrant, and illegal search and seizure, unlawful detention and unlawful imprisonment,  
12 and assault in the first degree immediately following the traffic stop initiated on the  
13 date of November 3, 2007, to which the Defendants had no evidence to support their  
14 egregious allegations, no probable cause, and no legal basis in which to act in the  
15 fashion in which the acted against Plaintiff Friedmann, considering further the fact that  
16 the traffic stop itself was initiated based solely upon a third party, hearsay statement,  
17 alleging speeding, and considering the fact that this allegation was never supported by  
18 evidence or witnessed by any Washington State Trooper, the actual traffic stop itself was  
19 illegal, and following the traffic stop, all actions committed by the Defendants Nicholas  
20 Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Olsen and Sam Ramirez  
21 and Tom Martin were illegal, and constituted a violation of RCW § 9A.36.011.

22 4M.3. Upon later determination, and corroboration by the Plaintiff, through  
23 documentation and explanation, substantiating the fact that no crime had occurred, and  
24 that despite the fact that no crime, and no evidence of a crime existed, the Defendant  
25 Washington State Patrol, and Defendants Nicholas Casto, Robert Howson, Christopher  
Noll, James Meldrum, Tom Martin and Juli Gunderman proceeded in a malicious and  
intentionally damaging fashion to detain, arrest, restrain, question, harass, search and  
seize, interrogate, book, and charge the Plaintiff Friedmann with a crime which he had  
not committed, nor perpetrated, and to which no evidence existed substantiating any  
involvement of the Plaintiff to even the initial complaint and allegation of speeding made  
by alleged witness Randy Flores, to which these actions caused significant emotional

1 distress to Plaintiff Friedmann and his immediate family, and that the embarrassment,  
2 humiliation and shame of Mr. Friedmann's false arrest, incarceration, fees, and loss of  
3 use of his firearms, loss of employment, loss of prospective employment, physical  
4 injuries, loss of college funding, and forced relocation, were further aggravated by the  
5 act of assault in the first degree against the Plaintiff in violation of RCW § 9A.36.011  
6 causing damages in the form of mental pain, suffering, and disability as well as  
7 emotional distress and anxiety, in an amount to be proven at time of trial.

8 **N. FOURTEENTH CAUSE OF ACTION: ASSAULT IN THE SECOND**  
9 **DEGREE**

10 **4N.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
11 herein as if set forth in full.

12 **4N.2.** The actions of the Defendant, Washington State Patrol, and Defendants  
13 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Olsen and Sam  
14 Ramirez constitute a violation of RCW § 9A.36.021, which defines "assault in the  
15 second degree, (1) a person is guilty of assault in the second degree if he or she, under  
16 circumstances not amounting to assault in the first degree: (a) intentionally assaults  
17 another and thereby recklessly inflicts substantial bodily harm; or (c) assaults another  
18 with a deadly weapon; or (f) knowingly inflicts bodily harm which by design causes  
19 such pain or agony as to be the equivalent of that produced by torture. (2) (a) except as  
20 provided in (b) of this subsection, assault in the second degree is a class B felony." The  
21 Defendant Washington State Patrol, and Defendants Nicholas Casto, Robert Howson,  
22 Christopher Noll, James Meldrum, Tom Olsen, Sam Ramirez and Tom Martin all  
23 perpetrated the act of assault in the second degree on three separate occasions against the  
24 Plaintiff in direct violation of RCW § 9A.36.021, by on the first occasion using firearms  
25 against the Plaintiff in a highly threatening manner to which great bodily harm was  
inflicted and to which death may have been inflicted, through which threats of additional  
bodily harm were made, in intimidating fashion, utilizing firearms and aggression,  
without cause or reason, and on a second occasion to which Defendant Sam Ramirez  
placed his firearm against the back of the Plaintiff's head indicating that death would

1 definitively occur if the Plaintiff moved, to which a third occasion was established by the  
2 unlawful and unwarranted forced removal and restraint for a time span amounting to  
3 seven hours which resulted in physical injuries requiring surgery and damage to the  
4 Plaintiff's shoulders, wrists and hands, "causing such pain or agony as to be the  
5 equivalent of that produced by torture." Acting absent of good faith and with malicious  
6 intent and/or malice, by further abusing their capacity as law enforcement officers,  
7 through the acts of search without warrant, and illegal search and seizure, unlawful  
8 detention and unlawful imprisonment, and assault in the second degree with actions  
9 equivalent to torture immediately following the traffic stop initiated on the date of  
10 November 3, 2007, to which the Defendants had no evidence to support their egregious  
11 allegations, no probable cause, and no legal basis in which to act in the fashion in  
12 which the acted against Plaintiff Friedmann, considering further the fact that the traffic  
13 stop itself was initiated based solely upon a third party, hearsay statement, alleging  
14 speeding, and considering the fact that this allegation was never supported by evidence  
15 or witnessed by any Washington State Trooper, the actual traffic stop itself was illegal,  
16 and following the traffic stop, all actions committed by the Defendants Nicholas Casto,  
17 Robert Howson, Christopher Noll, James Meldrum, Tom Olsen and Sam Ramirez and  
18 Tom Martin were illegal, and constituted a violation of RCW § 9A.36.021.

19 4N.3. Upon later determination, and corroboration by the Plaintiff, through  
20 documentation and explanation, substantiating the fact that no crime had occurred, and  
21 that despite the fact that no crime, and no evidence of a crime existed, the Defendant  
22 Washington State Patrol, and Defendants Nicholas Casto, Robert Howson, Christopher  
23 Noll, James Meldrum, Tom Martin and Juli Gunderman proceeded in a malicious and  
24 intentionally damaging fashion to detain, arrest, restrain, question, harass, search and  
25 seize, interrogate, book, and charge the Plaintiff Friedmann with a crime which he had  
not committed, nor perpetrated, and to which no evidence existed substantiating any  
involvement of the Plaintiff to even the initial complaint and allegation of speeding made  
by alleged witness Randy Flores, to which these actions caused significant emotional  
distress to Plaintiff Friedmann and his immediate family, and that the embarrassment,  
humiliation and shame of Mr. Friedmann's false arrest, incarceration, fees, and loss of  
use of his firearms, loss of employment, loss of prospective employment, physical

1 injuries, loss of college funding, and forced relocation, were further aggravated by the  
2 act of assault in the second degree and torture against the Plaintiff in violation of RCW §  
3 9A.36.021 causing damages in the form of mental pain, suffering, and disability as well  
4 as emotional distress and anxiety, in an amount to be proven at time of trial.

5 **O. FIFTEENTH CAUSE OF ACTION: RECKLESS ENDANGERMENT**

6 **4O.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
7 herein as if set forth in full.

8 **4O.2.** The actions of the Defendant, Washington State Patrol, and Defendants  
9 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Sam Ramirez, Tom  
10 Olsen and Tom Martin constitute a violation of RCW § 9A.36.050, which defines that  
11 “(1) a person is guilty of reckless endangerment when he or she recklessly engages in  
12 conduct not amounting to drive-by shooting but that creates a substantial risk of death  
13 or serious physical injury to another person. (2) Reckless endangerment is a gross  
14 misdemeanor.” The Defendant Washington State Patrol, and Defendants Nicholas Casto,  
15 Robert Howson, Christopher Noll, James Meldrum, Sam Ramirez, Tom Olsen and Tom  
16 Martin all perpetrated the act of reckless endangerment against the Plaintiff in direct  
17 violation of RCW § 9A.36.050, by acting absent of good faith and with malicious intent  
18 and/or malice, by further abusing their capacity as law enforcement officers, through the  
19 acts of search without warrant, and illegal search and seizure, unlawful detention and  
20 unlawful imprisonment, and recklessly endangering the lives of the Plaintiff as well as  
21 other motorists on the roadway while proceeding to the point of incident and subsequent  
22 to the traffic stop at which time the Plaintiff was assaulted by the Defendants  
23 immediately following the traffic stop initiated on the date of November 3, 2007, to  
24 which the Defendants had no evidence to support their egregious allegations, no  
25 probable cause, and no legal basis in which to act in the fashion in which the acted  
against Plaintiff Friedmann, considering further the fact that the traffic stop itself was  
initiated based solely upon a third party, hearsay statement, alleging speeding, and  
considering the fact that this allegation was never supported by evidence or witnessed by  
any Washington State Trooper, the actual traffic stop itself was illegal, and following the

1 traffic stop, all actions committed by the Defendants Nicholas Casto, Robert Howson,  
2 Christopher Noll, James Meldrum, Tom Olsen, Sam Ramirez and Tom Martin were  
3 illegal, and constituted a violation of RCW § 9A.36.050, to which these actions caused  
4 significant emotional distress to Plaintiff Friedmann and his immediate family, and that  
5 the embarrassment, humiliation and shame of Mr. Friedmann's false arrest,  
6 incarceration, fees, and loss of use of his firearms, loss of employment, loss of  
7 prospective employment, physical injuries, loss of college funding, and forced  
8 relocation, were further aggravated by the act of reckless endangerment against the  
9 Plaintiff in violation of RCW § 9A.36.050 causing damages in the form of mental pain,  
10 suffering, and disability as well as emotional distress and anxiety, in an amount to be  
11 proven at time of trial.

12  
13 **P. SIXTEENTH CAUSE OF ACTION: COERCION**

14 **4P.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
15 herein as if set forth in full.

16 **4P.2.** The actions of the Defendant, Washington State Patrol, and Defendants  
17 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Martin and  
18 Juli Gunderman constitute a violation of RCW § 9A.36.070, which that "a person is  
19 guilty of coercion if by use of a threat he compels or induces a person to engage in  
20 conduct which the latter has a legal right to abstain from, or to abstain from conduct  
21 which he has a legal right to engage in. (2) 'Threat' as used in this section means: (a) to  
22 communicate, directly or indirectly, the intent immediately to use force against any  
23 person who is present at the time. (3) Coercion is a gross misdemeanor." The Defendant  
24 Washington State Patrol, and Defendants Nicholas Casto, Robert Howson, Christopher  
25 Noll, James Meldrum, Tom Olsen, Sam Ramirez, Juli Gunderman and Tom Martin all  
perpetrated the act of coercion against the Plaintiff in direct violation of  
RCW § 9A.36.070, by acting absent of good faith and with malicious intent and/or  
malice, by further abusing their capacity as law enforcement officers, through the acts of  
search without warrant, and illegal search and seizure, unlawful detention and unlawful  
imprisonment, and coercion immediately following the traffic stop initiated on the date  
of November 3, 2007, to which the Defendants acted with force and unjustified violence

1 and hostility, forcing the Plaintiff to "abstain from conduct which he [had] a legal right  
2 to engage in" and further "compelled" the Plaintiff through a show of force and the  
3 appearance of violent reprisal to "engage in conduct" which the Plaintiff had "a legal  
4 right to abstain from" furthered by the subsequent actions of Juli Gunderman and Tom  
5 Olsen, who additionally coerced a statement from the Plaintiff, and mislead the  
6 Plaintiff to believe that the situation would be resolved by his cooperation. The fact that  
7 the Defendants had no evidence to support their egregious allegations, no probable  
8 cause, and no legal basis in which to act in the fashion in which the acted against  
9 Plaintiff Friedmann, considering further the fact that the traffic stop itself was initiated  
10 based solely upon a third party, hearsay statement, alleging speeding, and considering the  
11 fact that this allegation was never supported by evidence or witnessed by any  
12 Washington State Trooper, the actual traffic stop itself was illegal, and following the  
13 traffic stop, all actions committed by the Defendants Nicholas Casto, Robert Howson,  
14 Christopher Noll, James Meldrum, Tom Olsen, Juli Gunderman and Tom Martin were  
15 illegal, and constituted a violation of RCW § 9A.36.070.

16 **4P.3.** Upon later determination, and corroboration by the Plaintiff, through  
17 documentation and explanation, substantiating the fact that no crime had occurred, and  
18 that despite the fact that no crime, and no evidence of a crime existed, the Defendant  
19 Washington State Patrol, and Defendants Nicholas Casto, Robert Howson, Christopher  
20 Noll, James Meldrum, Tom Martin, Tom Olsen and Juli Gunderman proceeded in a  
21 malicious and intentionally damaging fashion to detain, arrest, restrain, question, harass,  
22 search and seize, interrogate, book, and charge the Plaintiff Friedmann with a crime  
23 which he had not committed, nor perpetrated, and to which no evidence existed  
24 substantiating any involvement of the Plaintiff to even the initial complaint and  
25 allegation of speeding made by alleged witness Randy Flores, to which these actions  
caused significant emotional distress to Plaintiff Friedmann and his immediate family,  
and that the embarrassment, humiliation and shame of Mr. Friedmann's false arrest,  
incarceration, fees, and loss of use of his firearms, loss of employment, loss of  
prospective employment, physical injuries, loss of college funding, and forced  
relocation, were further aggravated by the act of coercion against the Plaintiff in  
violation of RCW § 9A.36.070 causing damages in the form of mental pain, suffering,

1 and disability as well as emotional distress and anxiety, in an amount to be proven at  
2 time of trial.

3 **Q. SEVENEENTH CAUSE OF ACTION: MALICIOUS HARASSMENT**

4 **4Q.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
5 herein as if set forth in full.

6 **4Q.2.** The actions of the Defendant, Washington State Patrol, and Defendants  
7 Nicholas Casto, Robert Howson, constitute a violation of RCW § 9A.36.080, which  
8 defines that “(1) a person is guilty of malicious harassment if he or she maliciously and  
9 intentionally commits one of the following acts because of his or her perception of the  
10 victim’s race, color, religion, ancestry, national origin, gender, sexual orientation, or  
11 mental, physical, or sensory handicap: (a) causes physical injury to the victim or another  
12 person; (b) causes physical damage to or destruction of the property of the victim or  
13 another person; or (c) threatens a specific person or group of persons and places that  
14 person, or members of the specific group of persons, in reasonable fear of harm to  
15 person or property. (7) Malicious harassment is a class C felony.” The Defendant  
16 Washington State Patrol, and Defendants Nicholas Casto, Robert Howson both  
17 perpetrated the act of malicious harassment against the Plaintiff in direct violation of  
18 RCW § 9A.36.080, by acting absent of good faith and with malicious intent and/or  
19 malice, by further abusing their capacity as law enforcement officers, through the acts  
20 of calling the Plaintiff a “white supremacist” based solely upon his appearance, furthered  
21 by the claim in which both Defendants accused the Plaintiff of being a “terrorist” for  
22 studying Arabic at Tacoma Community College for the purposes of a military  
23 commission, and furthered by the derogatory and abusive statements made by both  
24 Defendants following the revelation by the Plaintiff that he was in fact Jewish, to which  
25 these actions caused significant emotional distress to Plaintiff Friedmann and his  
immediate family, and that the embarrassment, humiliation and shame of Mr.  
Friedmann’s false arrest, incarceration, fees, and loss of use of his firearms, loss of  
employment, loss of prospective employment, physical injuries, loss of college funding,  
and forced relocation, were further aggravated by the act of malicious harassment against  
the Plaintiff in violation of RCW § 9A.36.080 causing damages in the form of mental

1 pain, suffering, and disability as well as emotional distress and anxiety, in an amount to  
2 be proven at time of trial.

3 **R. EIGHTEENTH CAUSE OF ACTION: KIDNAPPING IN THE FIRST**  
4 **DEGREE**

5 **4R.1.** Plaintiff realleges Paragraphs 3.1 through 3.31 and incorporates them  
6 herein as if set forth in full.

7 **4R.2.** The actions of the Defendant, Washington State Patrol, and Defendants  
8 Nicholas Casto, Robert Howson, Christopher Noll, James Meldrum, Tom Olsen, Tom  
9 Martin and Juli Gunderman constitute a violation of RCW § 9A.40.020, which defines  
10 “kidnapping in the first degree, (1) a person is guilty of kidnapping in the first degree if  
11 he intentionally abducts another person with intent: (b) to facilitate commission of a  
12 felony or flight thereafter; or (c) to inflict bodily injury to him; or (d) to inflict extreme  
13 mental distress on him or a third person. (2) Kidnapping in the first degree is a class A  
14 felony. The Defendant Washington State Patrol, and Defendants Nicholas Casto, Robert  
15 Howson, Christopher Noll, James Meldrum, Tom Olsen, Juli Gunderman and Tom  
16 Martin all perpetrated the act of kidnapping in the first degree against the Plaintiff in  
17 direct violation of RCW § 9A.40.020, by acting absent of good faith and with malicious  
18 intent and/or malice, by further abusing their capacity as law enforcement officers,  
19 through the acts of search without warrant, and illegal search and seizure, unlawful  
20 detention and unlawful imprisonment, and kidnapping in the first degree immediately  
21 following the traffic stop initiated on the date of November 3, 2007, to which the  
22 Defendants had no evidence to support their egregious allegations, no probable cause,  
23 and no legal basis in which to act in the fashion in which the acted against Plaintiff  
24 Friedmann, considering further the fact that the traffic stop itself was initiated based  
25 solely upon a third party, hearsay statement, alleging speeding, and considering the fact  
that this allegation was never supported by evidence or witnessed by any Washington  
State Trooper, the actual traffic stop itself was illegal, and following the traffic stop, all  
actions committed by the Defendants Nicholas Casto, Robert Howson, Christopher Noll,  
James Meldrum, and Tom Martin were illegal, and constituted a violation of  
RCW § 9A.40.020, to which the Plaintiff was forcibly removed from his automobile,